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Senate

The Senate was not in session today. Its next meeting will be held on Monday, October 12, 1998, at 2 p.m.

House of Representatives

SUNDAY, OCTOBER 11, 1998

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mr. BRADY of Texas).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
October 11, 1998.

I hereby designate the Honorable KEVIN BRADY to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

NOTICE

If the 105th Congress adjourns sine die on or before October 12, 1998, a final issue of the Congressional Record for the 105th Congress will be published on October 28, 1998, in order to permit Members to revise and extend their remarks.

All material for insertion must be signed by the Member and delivered to the respective offices of the Official Reporters of Debates (Room HT–60 or ST–41 of the Capitol), Monday through Friday, between the hours of 10:00 a.m. and 3:00 p.m. through October 27. The final issue will be dated October 28, 1998, and will be delivered on Thursday, October 29.

If the 105th Congress does not adjourn until a later date in 1998, the final issue will be printed at a date to be announced.

None of the material printed in the final issue of the Congressional Record may contain subject matter, or relate to any event that occurred after the sine die date.

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By order of the Joint Committee on Printing.

JOHN W. WARNER, *Chairman.*

NOTICE

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MICHAEL F. DiMARIO, *Public Printer.*

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.
Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Printed on recycled paper.

PRAYER

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

Let us pray using the words of the Psalms.
Praise the Lord.
Praise the name of the Lord, give praise, O servants of the Lord, you that stand in the house of the Lord, in the courts of the house of the Lord!
Praise the Lord, for the Lord is good; sing to his name, for he is gracious!
O give thanks to the Lord, for he is good, for his steadfast love endures forever.
O give thanks to the God of all gods, for his steadfast love endures forever.
O give thanks to the Lord of lords, for his steadfast love endures forever. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Texas (Mr. SANDLIN) come forward and lead the House in the Pledge of Allegiance.

Mr. SANDLIN led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

GOALS FOR A GENERATION

(Mr. GIBBONS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GIBBONS. Mr. Speaker, goals for a generation is the future of America and it is the responsibility not just of the Republican Party but this Congress as a whole, for it alone will build the bridge to the 21st century.

So far adhering to these goals has brought us, the American people, a balanced budget, tax cuts, a Patient Protection Act, education reform that brightens the future of every child in America and legislation that will help save Social Security.

Under this agenda, we are continuing to improve our public and private schools by sending money directly back to classrooms for more teachers, more computers, safer buildings and teacher testing.

We will also expand the notion that every American should have the financial security that comes from secure jobs. This job security, coupled with a simpler tax code and a fairer IRS, will keep our economy strong and boost savings and America's investments.

Our government should reflect rather than undermine the values that have made America great, faith, family, personal freedom and responsibility. By protecting and strengthening a Republican government and citizen accountability, the Republican Party will continue to deliver on its promises that made these goals a reality for all America.

ON CONGRESSIONAL ACTIVITY

(Mr. GEJDENSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GEJDENSON. Mr. Speaker, I can hardly believe what I have just heard. The Republican Party, which has used its majority in Congress to deny people access to education, to deny them access to health care, refuses to take any steps to deal with HMO reform or the seniors, a quarter of a million of which have lost their health insurance, comes here and claims they are doing a good job.

Harry Truman could not find a rating low enough for this Congress. We should not leave here until we deal with the education issues, until we deal with the health care issues. You had time to try to give big tobacco a $50 billion tax cut. We ought to spend a few hours in these last days to make sure that senior citizens do not have to be frightened every day about whether or not their HMO is going to drop them. The gentlemen on that side of the aisle get the same kind of constituents as I do. They look to us for help. I do not know what answer you are going to give them. This new freedom that is out there in the health care system means doctors and hospitals and patients have no rights. We have got to change that. The country is going to judge us on that. I hope everybody watching at home calls their Congressman and tells them they want the education package and they want HMO reform. It is the only way to move this group, to let them know that the American people are angry and frustrated, and now is the time to act.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to direct their remarks to the Chair, not to the television viewing audience.

DISAGREEMENT BETWEEN REPUBLICANS AND DEMOCRATS

(Mr. BALLENGER asked and was given permission to address the House for 1 minute.)

Mr. BALLENGER. Mr. Speaker, I would beg all the Members to roll up their pants. It looks like it is getting heavy around here. The party of bigger government and higher taxes disagrees with the party of less government and lower taxes. The party of bigger government and higher taxes is threatening to shut down the government if the party of less government and lower taxes stands firm against creating more big government, more Federal bureaucracy in Washington, D.C., more spending on Federal programs.

Well, I got some news for the President and the party of bigger government and higher taxes. My constituents did not send me here to do exactly the opposite of what I have promised I would do. They sent me here to reduce the size of government, not expand it. They sent me here to cut the size of Federal bureaucracy, not make it bigger. They sent me here to give local schools more say over how they run their affairs, not less. They sent me here to make sure that the government lives within its means, not find new ways for government to get around its budget agreements. Regardless of the excuse the Democrat agenda is always the same, more spending and more government.

DEMOCRATS OFFER EDUCATION INITIATIVES

(Mr. PALLONE asked and was given permission to address the House for 1 minute.)

Mr. PALLONE. Mr. Speaker, I had the opportunity last night to go back to my district in New Jersey and I explained to my constituents that I saw at a function last evening how this do-nothing Congress was looking to adjourn and go home as quickly as possible because the Republican leadership refused to address education initiatives, refused to address the need for HMO reform and was talking about a tax break for the wealthy at the expense of Social Security. We need to save Social Security for future generations. But I was told by my constituents that the one thing that was the most important, that they did not want to see this Congress adjourn until we addressed it, was education, and the Democrats have two initiatives. One is to hire 100,000 teachers, new teachers across the country with Federal dollars that would reduce the size of the classroom, and the second one was to try to provide some funding to help local school districts to modernize their schools, to either build new schools or additions or to upgrade the schools that need to be restored. We are going to make sure that that happens here. We are telling the Republican leadership and our colleagues on the other side we are not going to run out of this place quickly. This has been a do-nothing Congress but at least before you go home, try to do something, put some sort of down payment on these education initiatives that are so important, not to Democrats, not to Republicans but to the American people.

These are the kids. We have to think about the future of this country. The future of this country is in its children and in public education, not vouchers

for private schools but public education, and doing things to upgrade public education, doing things to help in the classroom, doing things that make it possible to have safer and smarter schools. That is what the Democrats are all about. We have been talking about this for a long time. President Clinton brought it up in his State of the Union address. Now is the time to do something about it.

TIME FOR ACTIONS TO MATCH WORDS

(Mr. TIAHRT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TIAHRT. Mr. Speaker, the President said in his 1996 State of the Union address that the era of big government is over. I suppose that depends on what the definition of ''is'' is. I suppose that if you look at his recent attacks on Republicans in Congress, especially on education, the President and his liberal allies in Congress are threatening to shut the government down if Congress does not spend more money on education and create more education bureaucracy right here in Washington. Republicans want to send more money to the classroom. Liberals want to give the Federal Government an overpowering role in local schools. Republicans think that Federal bureaucrats have done enough damage to education, thank you very much. Liberals want to spend the money by taking it away from Social Security, while Republicans are happy to stay right here and continue to work to get more money into the classrooms, while keeping the budget agreement caps which means that there must be spending offsets by not taking money away from Social Security. If the era of big government is over, then it is time for the President's actions to match his words.

UNDERACHIEVING CONGRESS

(Mr. WYNN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WYNN. Mr. Speaker, by the calendar it says Sunday but in fact it is spin day, the day the Republicans come before the American public and try to spin their way out of this do-nothing Congress. Well, they get offended when you say do-nothing, so let us say underachieving Congress. The fact of the matter is we on the Democratic side want to stay here and deal with the issue of education. We need to invest more money in public education. The Republicans will try to tell you that they want to send money back to the States because money is going into bureaucracy. That is not true. Less than 2 percent of the Department of Education's budget is spent on administration. Ninety-eight percent goes directly to the States and localities. That is our position. The States and counties and local communities need more money to hire teachers, to train teachers, to put computers in classrooms. If we want a world-class education system, we have to make a world-class investment. That is why we are fighting. That is why we are here. The White House and the congressional Democrats say we must invest more in education. The Republicans simply want to go home and do nothing.

PLEA TO PRESIDENT: HELP US FIND REAL SOLUTIONS

(Mr. HAYWORTH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HAYWORTH. Mr. Speaker, I listened with great interest to my colleague from Maryland. His math comes up short. Only 2 percent of Federal spending goes to administration? That is just not true. But then again there is a lot that goes on here that seems to be part of the spin cycle.

Mr. Speaker, I noted with great interest this morning the President met with the minority leadership. In 2 years' time he has never bothered to sit down with the people who run the House of Representatives, members of the majority, to craft a policy for America's future. It has been very interesting, Mr. Speaker. In fact tomorrow on the President's itinerary are two fund-raisers, one in Florida, the other in New York. The final one is to benefit a Member of this House who sits on the Judiciary Committee and who has aspirations of joining the other body. Now even in a town as cynical and as hard-bitten as Washington, D.C., can people not see some conflict of interest? We are happy to stay as long as it takes to make sure that education is left up to the people, not the Washington bureaucrats. Mr. Speaker, we implore the President of the United States to join us to find real solutions.

LET US MAKE A DIFFERENCE IN KIDS' LIVES

(Ms. DELAURO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DELAURO. Mr. Speaker, this is absurd. Republicans taking credit for improving education is like saying that Jerry Springer is in the business of improving television. It really is quite extraordinary. My Republican colleagues say that the President wants to shut the government down. Friends, American public, understand: This government is shut down. Let me tell you what the Republican-controlled majority has not been doing in the last 2 years of the 105th Congress. No budget. No budget. No appropriations bills. No managed care reform. No campaign finance reform legislation. No tobacco legislation to help to save your kids. No education program. They say, ''Let's raid Social Security to pay for other things in this budget.''

Let me just say this to you, that yes, what we need to focus on in these last remaining hours of this Congress is our kids' education. Let us in fact reduce class size. Let us get 100,000 more teachers. Let us make a difference in our kids' lives.

WHERE IS THE PRESIDENT?

(Mr. DELAY asked and was given permission to address the House for 1 minute.)

Mr. DELAY. Mr. Speaker, I say to my good friend from Connecticut that this is a do-nothing-that-the-liberal-likes Congress, that is for sure. But I am here working today. I do not mind. I was elected to do a job and I am going to do it. But what about the President, where is he? Maybe in Martha's Vineyard, Aspen, Camp David? Where is the President? I bet the American people do not know that he spent 152 days out of the 283 days this year fund-raising, traveling, and on vacation. On top of that, I bet the American people do not know that he had only two Cabinet meetings this year. We know what those Cabinet meetings were. He shows up the day before adjournment and starts talking about education. The day before adjournment.

Mr. Speaker, tomorrow is another workday, and alas according to reports the President will be in Palm Beach in the afternoon for pina coladas, for raising money, and then he will be jetting off to New York City for dinner for more fund-raisers. Enjoy yourself, Mr. President. We know how draining those two cabinet meetings were this year. But we will stay here as long as it takes and work on the budget. After all, the American people expect nothing less.

□ 1415

THIS CONGRESS HAS ONLY WORKED 108 DAYS THIS YEAR—FIRE THE REPUBLICAN CONGRESS

(Mr. MILLER of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MILLER of California. Mr. Speaker, it is not a mystery why this has been one of the least productive congresses in history, why this is a do-nothing Congress, because this Congress has only worked 108 days this year. Most working people worked in excess of 225 days, 250 days this year. This Congress only worked 108 days. Now they find out after 108 days of working that they did not do their work, that they are not done. They say, ''Where is the President?'' The President has been waiting for the appropriations bills. The President has been waiting for the budget. This is the first Congress since 1974 that had no budget. This is a Congress that cannot pass seven of its appropriations bills. There is nothing for the President to

sign because they cannot get the appropriations bills out of the House of Representatives. They cannot get agreement among the Republicans in the House or the Republicans in the House and in the Senate.

Mr. Speaker, if most Americans worked as few days as this Republican Congress, they would be fired. Their employers would ask for their money back. Maybe that is what the public ought to do is fire the Republican Congress.

REPUBLICANS PASSED 21 INITIATIVES GIVING GREATER CONTROL TO LOCAL EDUCATION

(Mr. WELLER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WELLER. Mr. Speaker, as I look back over the last 2 years, one thing is very clear. The Republican majority in the House and Senate has given a 21-gun salute to education, passing 21 initiatives to give greater local control to local education and put dollars in the classroom. While the Democrats want to put more money in Washington bureaucracy, we want the dollars to the classroom. In fact, 30 cents on the dollars today that we appropriate here in Washington stay in Washington on government bureaucracy. Thanks to this Republican Congress we now have the lowest loan rates for student loans in 17 years. We have been doubled that the last 3 years the amount of Pell grant, grant money to help low-income students go on to college, and we provided $500 million more this year for special education.

Earlier this year, just 2 weeks ago, the House of Representatives passed an effort to save Social Security and to help education. Found it very interesting that the President called our efforts to make prepaid college tuition programs tax exempt, to help with school construction costs, the President calls that squandering that extra tax revenue and squandering the surplus.

It is interesting our effort to help schools with the tax cut plan would have cost $7 billion in surplus. Our President wants to spend twice as much, $14 billion, on defense spending, the State Department and a computer fix for government bureaucrats.

PRESIDENT RAISING BIG DOLLARS IN PALM BEACH FOR TV ADS THAT DO NOT TELL THE TRUTH

(Mr. FOLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FOLEY. Mr. Speaker, as the Representative from Palm Beach County joining the gentleman from Florida (Mr. SHAW) also representing Palm Beach, we are quite surprised that the President would assume that the negotiations to continue the good work of this Congress would be held in the island of Palm Beach. CLAY SHAW and I stayed here to work on the people's problems. We are here throughout the weekend to solve the budget crisis. Regrettably the President and, I understand, the Vice President are traveling to Palm Beach, Florida to raise more money. In fact, the chairman of the Florida State Democratic Party suggested that they should probably not come because they were bleeding all of the dollars out of the State and bringing them here to Washington, D.C.

So let us understand what this is all about, not about working, not about saving this Nation, not about helping our children, not about helping education. It is about going down to Palm Beach, Florida, a place that I love, to raise big dollars to come back and assault the integrity of the American public with more money on TV ads that do not tell the truth.

So, if the President wants to solve the government's problems, stay in Washington tomorrow, work through the weekend, like we are. We can make some significant gains for the American taxpayers.

HOW MEAN HAS THIS COUNTRY GOTTEN?

(Mr. FARR of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FARR of California. Mr. Speaker, I rise this Sunday afternoon here in Washington with, like the rest of us, probably really missing our families and wishing we could be with them. But I happened to think about my daughter who was about the age that I was when this town and this country was calling out for the best in people, asking them to bring out what is the best in America by joining the Peace Corps. I did that.

In the Peace Corps I lived as minority in another land, and I learned the greatness of the United States. Incredible to see how much we can do around the world. And I knew then that I was going to enter a political career to try to right wrongs and make life better.

Here we are, Mr. Speaker, at the end of the 105th session, and I look back, and I think, oh my God, how mean has this country gotten? How mean is their right-wing leadership in their party? They want to take away public education and privatize it, remove the safety net. They want to make Social Security neither social, nor secure. They want to have people in their medical careers have to deal with insurance companies rather than doctors.

I plead with my colleagues to get away from the meanness. Go back to the dreams of America. We can cure a lot.

WAG THE DOG

(Mr. SOUDER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SOUDER. Mr. Speaker, it would be really helpful if we did not attack each others motives. I do not consider myself a mean person. I consider myself like other Members of this body on both sides, deeply committed to the issues we believe in, and we confuse the American people because they do not understand what is going on right now. They look at this and say this looks a lot like the NBA strike lockout where we have people on both sides with strong differences of opinions. But they are adults; why can they not sit down?

Obviously we both care about education. We differ how to do it. We obviously both care about health care. We disagree how to do it. We obviously both want to see a form of government; in this case some of us are more local than state-oriented and some are more federal, but it is not that we are not trying to do a good government.

In 1995, actually right after the 1994 elections, we had a historic point in American history. For 40 years we had had a Democratic Congress, and all of a sudden we had a conservative Republican Congress and a liberal Democratic President, and we had those passions on both sides tested, and we went through this before. This is now our fourth time. There is no reason that we cannot come to an agreement unless there is another political reason, unless there is a wag-the-dog problem going on right now where the President is trying to distract attention.

We know he feels passionately, we feel passionately. Let us be adults and get it resolved.

WITH A $500–PER-CHILD TAX CREDIT THIS IS A DO-SOMETHING CONGRESS

(Mr. MANZULLO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MANZULLO. Mr. Speaker, as my colleagues know, the fact that Congress does not pass a lot of laws does not mean it is a do-nothing Congress. Did my colleagues ever stop to realize that a Congress that passes a lot of laws is the same one that passes a lot of regulations? Creates more programs? More bureaucrats? Evidently to some people on the other side, they think that that is a productive Congress.

But, as my colleagues know, for every family in the United States beginning this year that has a child under 17 year old the parents will be able to keep $400 more of their taxes, and after that, $500 more of their taxes, a $500 child credit. We Republicans believe the American people know how to spend their hard-earned dollars a lot better than the United States Congress. With a $500 per child tax credit, they can keep that as opposed to paying taxes. That is a do-something Congress.

FOR LIBERAL DEMOCRATS EDUCATION IS ABOUT MONEY, MONEY, MONEY

(Mrs. CHENOWETH asked and was given permission to address the House for 1 minute and to revise and extend her remarks and include therein extraneous material.)

Mrs. CHENOWETH. Mr. Speaker, as my colleagues know, education is a perfect example of an issue where liberal Democrats and conservative Republicans disagree. For a liberal Democrat education is about one thing and one thing only. It is more money, more money, more money from Washington, D.C.

Now last year they were here arguing for more money for education, and so we gave it to them. Education did not improve. The year before it was the same argument. We gave them more money. Education did not improve. And the year before that, and the year before that, and the year before that, and the year before that, and every single year for the past 30 years.

Mr. Speaker, my question for the liberals is at what point do they conclude that maybe, just maybe, it is not the money from Washington, D.C.? The answer, of course, is that it is not the money, and even the liberals know it. They have created more Federal bureaucracies, more Washington, D.C. programs of dubious value and more administrative extravagances.

Education achievement has not improved, but that is no surprise at all.

A DO-NOTHING CONGRESS

(Mr. MCDERMOTT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MCDERMOTT. Mr. Speaker, I was sitting over in my office looking at my clips from the newspaper, and I come across one here I thought I would mention to my colleagues. This is the Washington Post, October 6, in their editorial section: A do-nothing Congress whose year has been spent deflecting good bills while barely pretending to legislate is now down to the task it cannot avoid. It has yet to pass 9 of its 13; well, really it is 7 of its 13; regular appropriation bills, and they go on and say on most of this stuff the President would be wrong to yield, he should veto the Republicans.

Now the Republicans are out here today saying that we are trying to pick a fight, and so the paper says the Republicans say the President is trying to pick a fight on these issues, even to the point of shutting down the government to divert attention from their own failures. They seek thereby to disarm him. In fact, it is they who seek to divert attention from their own record which for most of the year consists of thwarting legislation that deserves to pass and now consists, in too many cases, of trying to sneak into law provisions that ought to fail. The President should swat them on it.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. BRADY of Texas). Under the Speaker's announced policy of January 7, 1997, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. BONIOR) is recognized for 5 minutes.

(Mr. BONIOR addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

WHAT REPUBLICANS HAVE DONE FOR EDUCATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas (Mr. TIAHRT) is recognized for 5 minutes.

Mr. TIAHRT. Mr. Speaker, today I want to talk a little bit about what the Republicans have done for education. We have heard a lot about how we were trying to eliminate public education. Nothing could be further from the truth. We want to make strong public schools with local control, local authority.

Now if my colleagues compare what the President is proposing with his hundred thousand teachers, we have heard that number before. We heard about the Cops On The Street Program which promised 100,000 police on the streets. Well, according to Attorney General Janet Reno, we never did get 100,000 police to the street. In fact, we only got 18,000 police to the street, and for those 18,000, they were only partially funded. The first year they got 75 percent, the second year they got 50 percent, the third year they got 25 percent, and the fourth year the local governments had to completely fund those 18,000 policemen. Well they only got partially funded. They went ahead and hired the policemen on good faith. Then the amount of funding from the Federal Government got reduced, and the portion of the local funding continued to increase. So what happened in all these local governments that were trying to do the right thing by hiring these police is they ended up raising their taxes. So they got fewer policemen that they were promised and higher taxes than what was anticipated. Now we have the plan for 100,000 teachers, again partially funded, and over the next few years the funding goes down, down, down while local government taxes go up, up up, and along with that comes the bureaucracy.

Now the average employee in the Department of Education here in Washington, D.C., makes $52,000 a year. Go home and ask the children's teacher if they make $52,000 a year. They do not make that in Wichita, Kansas, not the average teacher, but yet that is what the average bureaucrat does here, and they do not educate any children. All they do is demand more paperwork, more paperwork, more paperwork.

Well, let us just go over a little bit what we have done just this year, in the 105th Congress what the Republicans have done. First of all, we put some common sense into the concept of national testing. This fast track nature of what the White House had initiated was unverified. It took a long process, it started many educations on an alarming rate of trying to do things that they had, that they could not put a final bottom line on. It was like hitting a moving target.

Now we have done testing in Kansas. We have a program called QPA. It measures progress. It has testing requirements. Other States are already doing it. So here we have a duplication of effort in Washington, D.C., on education standards. Well, we put some common sense to that in the Republican Congress.

The next thing we did is put dollars into the classroom. The purpose was to consolidate 31 top-down programs into block grants to the States, and under this bill at least 95 percent of the money coming from the Federal Government had to go into the classroom for classroom activities or services. Now for Kansas that meant an extra $2½ million going into the classroom. Well, it is not being spent here in Washington, D.C., which is the big difference in philosophy between what happens between the Republicans and the liberals. The Republicans and conservatives would like to see the money get into the classroom, not being spent here in Washington, D.C. on a bloated bureaucracy.

□ 1430

Another thing that has occurred here is we have the Higher Education Amendment of 1998. The purpose of this is to reauthorize the Higher Education Act of 1965 with the lion's share of the Federal funding going for higher education. This year it is in excess of $40 billion a year, where the Republican Congress wants to get money into higher education.

Another program was the Community Service Block Grant and Low Income Housing Energy Assistance Program, LIHEAP, to help some of the local communities revitalize their high poverty neighborhoods and empower low income individuals and communities to become self-sufficient. It had new initiatives in it for literacy, youth development, fatherhood and community policing.

Another program was the Reading Excellence Program. This legislation developed in response to the President's America Reads Program to use volunteers to improve the reading skills of children, where we would reform the way reading is taught in our Nation's schools. Working together, we perfected a program.

Another program was the English Fluency Act. This legislation is directed at reforming the current Bilingual Education Act to provide funds to states to address the needs of English language learners and ensure that they learn English as soon as possible.

Another program, the Juvenile Crime Control and Delinquency Prevention Act. The purpose of this legislation is to help local areas have safer schools.

I could go on for another 10 or 12 programs, but the bottom line is the Republicans believe in local schools and local empowerment. We think you can spend your money more wisely than any government agency and that you will love your children more than any government program.

PROGRESS REPORT ON CONGRESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. MILLER) is recognized for 5 minutes.

Mr. MILLER of California. Mr. Speaker, we can talk all we want here, or the Republicans can talk all they want, about what they are going to do in terms of education, because most of the legislation that was just read by the gentleman in the well is legislation that they have proposed, it is legislation that may have passed this House, it is legislation that they cannot get agreement with the Senate on, or it is legislation that has come out of the committee but their caucus is in disagreement on much of that legislation.

I appreciate and I was at the signing with the bipartisan delegation of the reauthorization of the Higher Education Act. That is what Congress is supposed to do. Congress is supposed to reauthorize that act when it comes due and there is no Congress that has failed to do that.

But this Congress has failed to do much more. It has failed to meet the needs of America's schoolchildren by failing to address the need to reduce class size for our younger students. It has refused to meet the need to improve our schools, the crumbling schools, some $12 billion worth of construction that is immediately necessary, not only to make schools safe, not only to make them healthy for our children, not only to modernize those that need it, but also to make them ready for the technology that is the key to much of the educational opportunity for the students.

So this Congress has struck out on education. This Congress has struck out on managed care, where they decided they would go with the monied interest of the insurance companies and the HMO companies against the American people, against the American people and their desire to once again have a doctor-patient relationship, a doctor-patient relationship that deals with the health care problems of the patient, as opposed to the bottom line and the stock price of the HMO corporation or of the insurance company that keeps meddling with the decisions of doctors to prescribe medicine, to prescribe treatment, to prescribe tests or to prescribe surgery.

Each and every time the doctor wants to do this, he has to pick up the phone, the doctor has to call an 800 number, get some bureaucrat on the phone and say can I have an MRI? I believe this person may have a tumor. Can I have surgery? We have discovered a tumor and now we would like to cut it out on a timely basis.

They say no, you are going to have to wait 30 days. No, send them out for massage, send them to the whirlpool. Send them anywhere except to surgery, where they need it to try to stem the ravages of cancer or other malignancies.

That is what the American people have asked us to do. This Congress could not do it. This Congress could not do it because they decided they would deal with the money interests, just as they decided they would deal with the monied interests and they would kill campaign finance reform, they would kill the ability of the American people to have a greater participation in the election process, to develop grassroots, to make sure the people in our districts are not overridden by all of the soft money that comes in in the last days of a campaign. This Congress struck out in that effort.

This Congress struck out on the effort for tobacco legislation, to try to recover for the Federal taxpayer some of the billions of dollars that they have spent in the Medicare program taking care of the victims of tobacco, taking care of the victims of cancer that is related to tobacco. The states are recovering that, but somehow the Federal Government is unable do that. Why? Because they could not stop the flow of the tobacco contributions to the Republican party. They just could not get off that addiction that they have, not only to tobacco, but to tobacco campaign contributions. So this Congress struck out on that.

Finally, as Americans are working harder and harder and more Americans are working more than ever, we thought they ought to at least get a wage to allow them to support their families. But this Congress could not see it that way. It decided that once again it would go with their campaign contributions from the Small Business Association, from the Restaurant Association, and they would deny America an increase in the minimum wage, so those people who are working at the minimum wage would be able to support themselves and their families.

These are people that go to work all week long, all month long and all year long, but at the end of the year, they end up poor. So what do we do? We have the government subsidize them in food stamps, we have the government subsidize them in housing, we have the government subsidize them in medical care, because their wages do not allow them to procure these basic necessities of life for them or their family. Why? Because the minimum wage is not high enough.

But this Congress, this do-nothing Congress, chose not to do anything about the minimum wage, not to do anything about managed care, not to do anything about campaign finance reform, not to do anything about the crucial bills dealing with the improvement of education and bills to protect the environment.

So this Congress that has only worked 108 days this year, this Congress that has chosen to be out of town more days than it has been here, this Congress that has chosen to come to work Tuesday night at five o'clock and leave Thursday night at five o'clock, this Congress that chose to extend the August break an extra week, this Congress that chose not to work in January, February or March more than a couple of days, this Congress now cannot find time to deal with the basic necessities of our children's education, to get a budget and to pass the appropriations bills.

That is why this Congress is being hailed by editorial boards and people all over the country as a do-nothing Congress. And I would just ask the same courtesies on time that you give the Republican Members on the other side of the aisle. The Chair belongs to the whole House, not to one party or the other.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. BRADY of Texas). The Chair will attempt to enforce strictly the five-minute limit on both sides of the aisle.

REPORT ON BIPARTISAN LEGISLATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. GOODLING) is recognized for 5 minutes.

Mr. GOODLING. Mr. Speaker, I will lower the decibels. I do not have any reason to make any political statements. I do not have that need. The President, on the other hand, has misled the American people with a radio address yesterday, and I think I should try to make sure the American people truly understand what is going on. In his speech, in which he dealt primarily with education, he said we should be able to make real bipartisan progress on education.

Well, Mr. President, in the entire history of this body, there has never been a greater effort at bipartisan legislation in relationship to education, and in the last 24 years, I can assure you there has never been a better effort.

So, Mr. President, we sent you the Higher Education Act, a bipartisan effort. We sent you special education, IDEA. We sent you the Workforce Investment Act. We sent you loan forgiveness for new teachers. We sent you

quality teaching grants. We sent you emergency student loan. They are all law, Mr. President. We sent you seven.

We also have awaiting on your desk school nutrition, including help after school, so that we can try to deal with the problems of juvenile delinquency. We sent you charter school legislation, Mr. President, in bipartisan fashion, $100 million extra every year for five years. We sent you quality Head Start. And what are your people trying to do? They are trying to eliminate the quality from the Head Start bill that we sent to you.

We have sent you vocational education for the 21st Century, not the 20th or the 19th. We sent you community service block grant. We sent you $500 million extra for special education, and you sent a budget up here which as a matter of fact reduced spending for special education.

We have a Reading Excellence Act waiting for you to sign, Mr. President. All you have to do is decide whether that is truly your first priority, and it surely should be your first priority. All of those bills, 14, and a lot of them in a bipartisan fashion.

Well, you said in your speech that our Nation needs 100,000 new highly qualified teachers to reduce class size in the early grades. Mr. President, where do you get your statistics? Every study I have seen has indicated that there is no shortage of elementary teachers now or in the foreseeable future. We have more than 100,000 elementary teachers now who are working in department stores, who are working at fast food places, who are working in offices, because they cannot get a teaching job.

Now, Mr. President, there are some places where they need teachers, but these 150,000 who are out there who do not have a teaching job did not want to go to center city, did not want to go to rural America. So what did we do to try to help that situation? If you read our higher education bill, Mr. President, you will discover that we give some breaks in relationship to your loan that you have if you will go to center city, if you will go to rural America.

Now, Mr. President, if you know the Elementary Secondary Education Act, you also know that Title I allows them to employ teachers. If you wanted to do that, why not increase that amount of money?

You see, as I said at the White House, who gets credit is not important if you are trying to help improve the quality of education. So you do not need something special that says, ''I get credit because I did this.'' It is there. It is in Title I. All you have to do is put more money in that particular area.

In the higher education bill we also dealt with quality, because you mentioned quality. We made it very clear to all teaching training institutions, this is the 21st Century and we expect you to turn out quality teachers for that 21st Century. Right in the bill, Mr. President. You signed it. I was there.

□ 1445

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind the Members to address their remarks to the Chair and not to the President in the second person.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. DOGGETT) is recognized for 5 minutes.

(Mr. DOGGETT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

THE ROLE OF FEDERAL MONEY IN EDUCATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. FARR) is recognized for 5 minutes.

Mr. FARR of California. Mr. Speaker, I want to go back to my statement that I made in the 1-minutes on the spirit I felt in this country when I remember first getting involved and getting committed.

Many of us are sitting here as parents. I think we have children growing up, and as a parent, we are more worried about the future of this country and this world for their livelihood. We all want to make the world better. I do not think that our Congress, with all the capability we have, a lot of very bright people elected on both sides of the aisle, are really focusing in on trying to bring out the best that is in America. I think that is where we are failing.

We can get into the specifics of a program, and whether it is a mood to go to what I think is a fear of privatization, let us remove the safety nets, the gentleman is right. The last speaker talked about it. It is not who gets the credit. I believe that. We can accomplish a lot in life if we do not care who gets credit for it. But we have to accomplish it. What we are doing is not accomplishing it.

One of the speakers earlier said we have too much Federal money in education. That is just factually wrong. That is wrong, wrong, wrong. Of all the money spent in education in America, the Federal contribution is 7 percent. Seven percent. That is not too much money. There is not anybody in America that will not tell us that if we have a top priority, it is educating our kids to prepare them for the 21st century.

We have heard a lot of reasons. It has been debated and it will be stated here again today, I am sure. Why can we not do that? The one thing we have never done in this country, the Federal Government has never put one Federal dollar into school construction, not even a penny.

If we are going to have overcrowded classrooms, and we all agree they are, if we are going to have more teachers to have smaller classrooms, which everybody agrees we need, then we have to build more space. We have to do that by offering incentives other than the mechanisms that are there.

My colleagues, the gentlemen from California, know that we have a requirement in California that to pass the school bond issue to construct school buildings, you have to get a two-thirds vote. In a lot of communities where the need is great, they can never get the two-thirds vote. There is no option. There is no option. Nobody is out there volunteering to build public schools for free out of their own private contributions.

Mr. Speaker, we have to put some money into the school construction effort. The President, as we all learned in high school when we took government classes, the President proposes and we dispose. The President stood here in this very room and proposed to us that we put money into school construction.

He had a clever idea, that we would give tax incentives so private individuals could pick up the interest rates on school bonds, as an incentive for schools to use more of the money for school construction, rather than less.

What happened to it? It was destroyed here in Congress. We talked about putting 100,000 new teachers in the classroom. People say that is too much Federalism. If we go to a police chief in the United States today and ask if the Cops on the Street program is too much federalism, all of my chiefs of police that have received these Cops in the Street program told me they have never seen less bureaucracy. It is very easy, once you have made the decision that you want them, to get them. The program for schools would be the same way. There is not a lot of Federal bureaucracy there.

Do Members know what it would do over the next 7-year period if we took the President's proposal and adopted it here? It would provide in our State alone, in California, 9,271 new teachers by the year 2005. We need those teachers. We need those classrooms. We need computers. We need all of the things that people talk about. But we are not going to get there if we are going to try to say well, the Federal Government should not help.

I am passionate about this, because I think what we do in this country that is so great, and we are picking away at it and wanting to lose it, is that we have one Nation, indivisible. That indivisibility, it seems to me, is the safety net; that we will treat everybody, at least in this country, with a minimum amount of care.

If we look at the education programs that we have created in the United States, they are that safety net. They are Head Start, they are ESEA Title I, they are grants to college students, Pell grants, they are things that are out there as safety nets. They are not the education system. The gentleman is absolutely right; America's education is run by the local school districts. But they cannot do it alone. We

need to help them. Do not deny them the opportunity to do that.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. MICA) is recognized for 5 minutes.

(Mr. MICA addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

EDUCATION HAS BEEN A PRIORITY TO THIS CONGRESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. WELLER) is recognized for 5 minutes.

Mr. WELLER. Mr. Speaker, I have often listened to the debate in these Chambers. Sometimes I feel like I am in a schoolyard where we have fourth-graders taunting each other back and forth, saying my program is better than yours, and you are a bad guy because you are not saying my program is a good program. We just have to remember that today is an election year, and we are just 3½ weeks away from that date.

I also noted that one of my colleagues tried to elevate the debate by quoting the Washington Post. Once I did that. I was back home in a town meeting back in my district. I quoted the Washington Post, and I kind of realize at times when I read the Washington Post that they don't like anybody. Two weeks ago they were calling on the President to resign. Now they are saying Congress is bad.

Whether or not Members want to quote the Washington Post, folks in Hegewish and south Chicago, they don't care what the Washington Post says. They are looking for a solution.

One thing I found from town meetings, meetings at the union hall, the VFW, the grain elevator, or a suburban women's club meeting, they are saying that they are tired of partisan politics. They are looking for solutions. That is why they are pretty proud of what this Congress has done in the last few short years.

If we think about it, think of all the things we were told that we could not do. I am one of those who was elected in 1994, this new Republican majority for the first time in 40 years.

I was told by the Washington Post and the New York Times and all the other liberals in the world that we cannot balance the budget, but we did it. They told us that we could not cut taxes, but we did it. They told us we could never reform welfare, but we did it. They told us we could not restructure the IRS, but we did it.

If we think about it, this Congress in the last 2 years has done some big things that we were told we could not do by many of those on the other side of the aisle. We balanced the budget for the first time in 28 years, we cut taxes for the middle class for the first time in 16 years, we reformed our welfare system, helping kids and families for the first time in a generation, and we restructured the IRS, taming the tax collector for the first time ever.

Those are pretty big accomplishments, something I am really proud of, because it took a Republican Congress to do that, and I am pleased that a Democrat President joined with us in a bipartisan effort to bring those four accomplishments and those four solutions home.

We are often asked, what is our next challenge? What more can we do to change how Washington works and to make Washington more accountable to the folks back home? Clearly, education is a priority for all of us.

When I am back home and I am walking through, whether it is Lincoln Way High School, which is one of the best in the Nation, in New Lenox, or in the south side of Chicago, in the Chicago public schools, or LaSalle Peru in the Illinois Valley, and I talk to local school board Members, administrators, teachers, and parents, they say, Congressman, about 4 to 6 cents of every dollar we spend on our public schools comes from Washington, but we also want you to know that with that 4 to 6 percent of the funding we spend on our local public school comes two-thirds of the paperwork we have to fill out.

If we look at how those dollars actually get spent when we appropriate them in Washington, only about 70 cents on the dollar actually reaches the classroom. Thirty cents on the dollar gets spent on bureaucratic overhead before it gets back to Illinois schools. Something is wrong. We need to do a better job.

Over the last few years we have made a difference, trying to change how Washington works to make sure when we appropriate funding that it counts, and education was a big winner last year when we balanced the budget. Not only did we make education a priority, but we increased funding for education in our budget by 10 percent, a $5.4 billion funding increase over the previous year, even while balancing the budget.

Unfortunately, 30 cents on the dollar stays here in Washington. One clear message from the folks back home is we need to leave less money in Washington and get more money back to the classroom. That is why I am proud that we passed earlier this year legislation that will put more dollars into the classroom by streamlining the process, not saying 70 cents on the dollar, but actually 95 cents on the dollar reaching the classroom.

I am proud that this Republican Congress has given us the lowest student loan rates in 17 years, and that we have doubled Pell grants to twice what they were when I was sworn in 4 years ago to help low-income students better afford college with an outright grant. This year while the President ignored special ed, we provided $500 million more for special education in our local public schools.

Last year, while we were working to balance the budget, we created the first ever school construction bond program, providing almost $1 billion in helping build new classrooms for our schools. We increased funding for Head Start low-income kids in my district.

Mr. Speaker, education is a priority. We have given it a 21-gun salute. This House has passed 21 initiatives to help education in just the last 2 years. Education is a priority.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. PELOSI) is recognized for 5 minutes.

(Ms. PELOSI addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

A FEDERAL GOVERNMENT STILL TOO BIG, WITH A DEFENSE BUDGET TOO SMALL

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Idaho (Mrs. CHENOWETH) is recognized for 5 minutes.

Mrs. CHENOWETH. Mr. Speaker, the Treasury Department will announce that the Federal budget is in surplus for the first time since 1969. Only 2 short years ago the President of the United States submitted a budget with a $200 billion deficit, as far as the eye can see, if Members will recall.

What happened? There are a lot of Americans, and most Americans, including us, who really do not care where the credit falls, just as long as this Congress stays committed to a balanced budget and reducing the size of government. But it is important to understand how we got here, where we are today, so we can continue on the path of sound economic recovery.

Remember when the country was faced with large, chronic deficits at the beginning of the 1990s? Congress faced a choice. To cut the deficit, lawmakers had one of two choices to make, to cut spending or to raise the taxes. President Clinton and his allies here in the Congress chose to, remember, raise taxes. Congress at that time was still under the control of the Democrats, so President Clinton was able to get through the largest tax increase in the history of this great Nation.

Republicans, on the other hand, wanted to reduce the deficit by cutting spending. Republicans believe that government is too big and too bossy, and they believe that Washington wastes too much of our money. One would think that this is an obvious point to us, because it is to the American people. After all, even the President himself said in his 1996 State of the Union

Address that the era of big government was over.

If only that were true, Mr. Speaker. We can see now that this declaration was nothing more than words. Big government is alive and well, and it is bigger than ever. In fact, the Democrats have come back with still more ways to increase the size and power of government every year since.

While we can say that government is not quite as big as it would have been if the Republicans had not taken control of the Congress in 1995, the truth is that government continues to grow, and any attempts to cut government, no matter how wasteful and counterproductive the program may be, the liberals will immediately attack our resistance to more and bigger government as being extremist or mean-spirited.

It has never occurred to them that it is perhaps mean-spirited on the part of a Federal government to have so little respect for the working men and their labor that Washington takes between one-quarter and one-third of their precious money every month from their paycheck.

So that still leaves us with the very important question, how did we go from $200 billion deficits, as the President had proposed, as far as the eye can see, only 2½ years ago, to the budget surplus that we now enjoy?

Let me tell the Members, remember, it is true that there have been some reductions in spending, but almost all of them have come out of one place it should not have come out of, Mr. Speaker. That is the Pentagon. Defense spending is now dangerously low, and our military forces are not what they should be.

Mr. Speaker, we know that to be the truth, but our Democrat colleagues, in their boundless faith in human nature, ignore history and simply do not believe in the fundamental precept that America must achieve peace through strength.

□ 1500

As for other spending, Republicans did manage to limit the number of new spending initiatives of President Clinton and the Democrats over the past few years. But the primary reason why the budget is in surplus today is because revenues are way, way, way up. Liberals will point to the President's 1993 tax increase as a reason why revenues are up, hoping that we will not examine the budget tables ourselves to see if, in fact, this is true.

Revenues are up primarily from the number of people who are taking advantage of low tax rates on capital gains, the part of the economy that is the lifeblood of any dynamic growing economy.

President Reagan cut the tax on capital gains, and the Republicans cut it again just last year. Savers, investors, entrepreneurs, and other job creators are taking advantage of that, and the economy is benefiting from that. Jobs are being created, and revenues have soared. That, Mr. Speaker, is primarily the reason why the budget is now in surplus when it was in deep red only a few years ago.

EXCHANGE OF SPECIAL ORDER TIME

Mr. GEJDENSON. Mr. Speaker, I ask unanimous consent to take the time previously allotted to the gentleman from Washington (Mr. SMITH).

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

HEALTH CARE REFORM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Connecticut (Mr. GEJDENSON) is recognized for 5 minutes.

Mr. GEJDENSON. Mr. Speaker, it seems to me that, if we go back before the battles that have raged in the last several weeks, there has to be a fundamental question of why we came to Congress.

I grew up in the town of Bozrah, a town about 2,400 people. I knew that, oftentimes, those neighbors of mine could not compete when they were trying to deal with large corporations or an oppressive government. It seemed to me the obligation of an elected representative is to come here and be their voice, to fight for our friends and neighbors when they cannot do it on their own.

What is our answer to what is happening to seniors on Medicaid HMO programs? What is our answer to the average family that lives in fear that the health care program they have paid for will not protect them when it is necessary?

My wife went in for a 4½ hour operation. They removed a disk from her neck. They took a piece of bone from her hip. They put it back into her neck. A 4½ hour operation. She gets back to the hospital room around 5 o'clock.

The doctor comes by 6:30 and says, you know, I would really like to keep you here, but I know the insurance company is not going to pay. But I am going to try. You will probably get stuck with a bill. She was all wired up with all the things that kill pain and what have you that you need after an operation. So she said fine.

The next day, of course, the claim was rejected by the insurance company. That did not shock us, frankly, because we thought that was going to happen. What shocked us is what happened to the doctor. The doctor got a letter from the insurance company saying do not try to do this again. Do not worry about what your patient needs or what the long-term impact is. Just dump them out on the street.

My wife would get along. We have got family. We would find a way to help her. But there is some people that do not have a lot of family. When we were going back for a checkup, we saw this woman. She could not have been 4-foot tall. She had a piece of metal in the front of her chin and two pieces on the back of her head. She had the marks from that halo when you have a serious neck operation.

My wife said to her, ''What happened to you?'' She says, ''Oh, I came in for a hernia operation. I am 76 years old. It is same-day surgery, you know. As soon as I had the surgery, they sent me home. I walked in the door, passed out, and broke my neck. I spent the last 4 months in the hospital.''

Most times, when we are dealing with an issue, it has such a limited impact that we have to seek out those who have been victims. We have to go out and hold hearings. These just come at us from our family and everybody else.

My brother runs the family dairy farm. One night, Ike felt his entire right side of his face losing all muscle control. He is 40-some years old. That kind of thing scares people. I do not know if it would scare a doctor, but it scared the heck out of me.

Ike thought it was serious. He drove down to the emergency room. The insurance company said, ''No, no, just because you lost all sensation in the right side of your face, that is not serious.''

I am not a doctor. Again, I cannot tell my colleagues what would have happened to my brother's girlfriend had she had a real medical system. She was 38 years old when she died after they refused to look at her tumor, after they refused to test her tumor.

What is this Congress doing? This Congress is sitting around here, and its leaders are fighting about whether you can fire or prevent the hiring of a former Democrat for a job downtown. Is it not wonderful, we have a fight where the Republican leadership is trying to tell public corporations they are not supposed to hire Democrats.

If you have been a Democrat, the rule is you cannot have a job. Do my colleagues know what? If this was organized crime, we would call it a RICO operation. My colleagues are out there trying to deny people health care; and when people want to work here, they want some kind of sign-off from the Republicans.

I am telling my colleagues this country needs health care reform. This is not about good politics, which it is. It is about people's life and death.

The leadership of this Congress is spending more time trying to make sure somebody does not get a job downtown than taking care of the health care of people of this country.

The same goes for education. The same goes in 100 different areas. We have not done the work we ought to do on pensions. In my district, a company closed, and the same day 100 people were notified they had no jobs. They found out their pension had been absconded with, been stolen or lost by the individual who managed it.

We need to make some changes to make sure that will not happen again. But not this majority Congress. They are worried about whether Dave McCurdy, former Congressman, can get a job downtown.

It started this way when they took over. The first thing they told people was fire the Democrats. They got rid of all the assets that poor people and workers had to gather information here. They want to represent powerful people, and that is just fine, but do not kid the American people. Do not go into that well and tell me you care about health care.

COME HOME, MR. PRESIDENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Nevada (Mr. GIBBONS) is recognized for 5 minutes.

Mr. GIBBONS. Mr. Speaker, I think it would be very helpful to all of the constituents in my district to sort of cut through the shrill rhetoric on the other side of the aisle today and kind of get behind what is driving all of this political force.

See, it appears to me that the Democratic leadership and the President have placed petty politics above the interest of American children, America's veterans, America's seniors, and recently America's farmers.

The farm bill that was just vetoed recently had more money in it than the President's request, but it did not spend it on the programs that the Federal Government and the President wanted, so he vetoed it. It was not that it was anything in the best interest of America to do, but he vetoed it for politics.

Let us just take a look at what is behind this injustice to the American people. The principal motivation for the President and the Democratic leadership's intended shutdown of government is sort of to take the spotlight off the scandals that the President has gotten himself into.

It is also evident that the President has been AWOL, absent without leave, from his duties during most of the year. Let us consider this. The first 282 days of 1998, Mr. Clinton spent 45 percent, or approximately 127 days, working for his employer, the American taxpayer.

So what has he done with the majority of his time as President this year? Let us take a look at that. Fund raising. I think the new motto of the White House ought to be ''Show me the money, Mr. President.''

Mr. Clinton has spent 56 days away from his job raising money, gaining millions and millions of dollars from wealthy elitists, big business tycoons, liberal special interests, and media moguls.

Note that most of these fund-raisers, of course, were outside of the Washington, D.C. area. All totaled, Mr. Clinton has attended 97 today. Tomorrow in Florida will be number 98. Special interest fund-raisers gathering up those millions and millions of dollars, rather than working with Congress on problems facing all Americans.

The ''Show me the money, Mr. President'' ought to be here working with the working Congress. Let us take the vacations that he has had. Please do not get me wrong. There is nothing wrong with a much-needed break from a hectic work schedule. But there is something wrong when the vacations start interfering with the job of being President of the United States.

Not many hardworking men and women around this country have the luxury of working only 127 days and getting 32 days vacation, paid at that by the taxpayers of the United States.

Let us see, that would include 13 days at Martha's Vineyard, 9 days in Camp David, 5 days in the Virgin Islands, 4 days at a Utah ski resort, and, oh, yes, 1 day in Aspen, Colorado. Obviously, the only thing that got in the way of all of these vacations was his fund-raising schedule.

All this is bad enough, but it does not end there. Let us take the travel abroad, overseas junkets. During this time frame, the President spent 45 days abroad visiting 13 different countries, including Ghana, Chile, Uganda, Senegal, Germany, Rwanda, England, Ireland, Russia, Northern Ireland, and, oh, yes, a $50 million trip to China just to pay homage and tribute to the barbarians of Tiananmen Square.

But, my colleagues, that is not all. Outside the fund-raisers, vacations and expensive junkets abroad, the President has spent an additional 22 days on the road at photo-ops in telegenic settings outside of the Washington area. Most of these photo-ops were strategically placed with an eye to upcoming elections like New York, Illinois, Wisconsin, Texas, and even the scenic area of Lake Tahoe.

Mr. Speaker, it is very obvious that the duties of the President are being pushed aside at a time when there are critical issues facing America's children, veterans, seniors, and, yes, even farmers today.

Even as we speak here today, Congress is in session working, doing its job to help save Social Security, promote and improve our children's education, and to provide for America's veterans.

Yet, the President is once again preparing to go to another fund-raiser tomorrow in Florida. That is right. The President is once again planning to be AWOL while we here in Congress are hard at work solving our Nation's problems.

Clearly, it is time for America's part-time President to clear his travel calendar, clear his fund-raising calendar, clear his vacation calendar, and stay home so that we can get the Nation's work done.

INVEST IN AMERICA'S CHILDREN AND EDUCATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. SANDLIN) is recognized for 5 minutes.

Mr. SANDLIN. Mr. Speaker, American children, American education, what better investment could we make? What higher priority could we have in the United States Congress than in our children?

Mr. Speaker, today, we have heard a lot of talking back and forth about the name of this Congress. I do not know about that, and I do not particularly want to get involved in that, but I do know this, we have an opportunity today to be known as the ''do something good Congress,'' because we can take one vote, take one day, and we can invest in America's children, and we can invest in education.

We have had a lot of talk today about who controls education. Education is properly controlled at the local level. In Texas, local citizens elect a local school board that hires a local superintendent, and they have local teachers that teach local children of local parents that support our local schools.

But that does not mean that the Federal Government cannot be helpful. We can be a junior partner in education. We can help provide the tools and the capital that our local communities need to address local problems and educate local children.

A junior partner is not controlling, but he is important. We need to meet our important responsibility and obligation to America's children by joining with local communities in education.

Let me talk briefly about four areas of concern. Number one, smaller classes. Studies confirm that young students in classrooms between 15 and 20 students learn more rapidly, and they learn better than other children.

The Federal Government, as a junior partner, can make capital available, can make funds available to help communities hire more teachers on a cost-shared basis, on a cost-shared basis. $7.3 billion over the next 5 years would put us on track to hiring 100,000 new teachers to spread across this country in grades one through three and will reduce the class size to 18 children.

If we ask teachers how best to bring down violence in school and how best to teach children, they say bring down class size.

School modernization. In order for our students to learn and compete in the economy of the 21st century, schools must be well equipped. A 1996 GAO study found that, over a quarter of Texas schools have at least one building in need of extensive repair, and over half of the schools in Texas have schools with at least one major building feature that has to be replaced, such as all of the plumbing, all of the air conditioning. There are similar problems across the entire United States.

To address this shortfall, the Federal Government can provide tax credits. We can give credits to folks to pay interest on nearly $22 billion in bonds to build and renovate public schools. We

have an obligation to build schools in this country and to make those facilities available for our children like our parents did for us, because, Mr. Speaker, nearly one in every three schools in America today was built before World War II.

□ 1515

That is just not right, and we can do better and we must do better for the children of this country.

Let us talk about safer classrooms. Drug use among our 12th graders, over half of whom have already tried drugs, is up. Only 30 percent of public elementary schools in this country have after-school programs and in rural areas, such as where I am from in Texas, the number drops to 12 percent. The Federal Government should continue to make grants available to work in partnership with local government and communities for prevention, for early intervention and enforcement efforts.

Further, we should authorize funding for school-based partnerships between local law enforcement agencies and school districts to combat crime, to combat drug activities and to make sure that our children have a safe place to learn.

Finally, better technology. Give our kids the skills they are going to need for the jobs that are coming up in the next century. We need to ensure that our children have the necessary technology in the classroom. That means modern computers, Internet connections, educational software, educated, well-paid, enthused, encouraged teachers that are ready, willing and able to teach our children.

The SPEAKER pro tempore (Mr. BRADY). Under a previous order of the House, the gentleman from New York (Mr. SOLOMON) is recognized for 5 minutes.

(Mr. SOLOMON addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

CHANGE IN ORDER OF TAKING SPECIAL ORDER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Colorado (Mr. BOB SCHAFFER) is recognized for 5 minutes.

Mr. COBURN. Mr. Speaker, I ask unanimous consent to substitute for the gentleman from Colorado (Mr. BOB SCHAFFER).

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

HMO REFORM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oklahoma (Mr. COBURN) is recognized for 5 minutes.

Mr. COBURN. Mr. Speaker, I want to comment on the tone that we heard from the gentleman from Connecticut.

I am a physician. I still practice. What we were supposed to have received from Mr. GEJDENSON was that the problems in the health care field today have come about because of this Congress. They have come about because of a law called ERISA that this Congress a number of years ago passed. And the thing that strikes me rather peculiarly is what we hear as HMO attacks instead of attacks on physicians who are not doing their job.

The number one job of a physician is to do no harm. I want to tell my colleagues, if I do an outpatient surgery, which I do almost every weekend, and my patient is not ready to go home, I fight and fight and fight, but I do not give up. My patient stays there until they are ready to go home. Do you know what? I win those battles with HMOs. I do not lose those battles. What we are really hearing is the inability of physicians to have backbone to stand up.

The law that created the situation that we have today was created several years ago, not by a conservative Republican Congress, but by a rather liberal Democrat Congress. I do not usually say anything partisan on this floor, but the tone of the speech is inappropriate for this august body. To not challenge that tone will do more to destroy this institution than anything I know. We passed a bill, it is called the Patient Protection Act. It is not designed to put more lawyers at work and increase health insurance costs by lining the pockets of people who are going to challenge HMOs through the court system. There is no question we have to make changes. Those changes are being made. They have been made with this Congress. But the very idea that this Congress, this Republican Congress, is responsible for the emotional diatribe that we just heard is anything but the truth.

The truth is, we have tremendous cost pressures on health care in this country. HMOs have done a lot to help us solve those problems. Are they perfect? No. Have they made mistakes? No. Is there any physician before HMOs were created that has not made a similar mistake of letting someone go home too soon? No. So we can emotionalize these issues. We can try to make them a campaign issue, but what we do is serious damage to the real problems that we have to solve in this country.

And my heart is broken that we have the kind of discourse that we have in this House that creates a false paper tiger and then sets it down. To the American public, I apologize for what we heard in the past 30 minutes from the gentleman from Connecticut. It is my hope that we can carry on conversations in this House that come up to the level of integrity, honesty and maturity that this House deserves.

CHANGE IN ORDER OF TAKING SPECIAL ORDER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. ROEMER) is recognized for 5 minutes.

Mrs. MINK of Hawaii. Mr. Speaker, I ask unanimous consent to substitute for the gentleman from Indiana (Mr. ROEMER).

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Hawaii?

There was no objection.

ON THE EDUCATION AGENDA

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Hawaii (Mrs. MINK) is recognized for 5 minutes.

Mrs. MINK of Hawaii. Mr. Speaker, I think it is a very unusual occasion that we are experiencing today, that this House would be engaged in discussing important issues on a Sunday. It is even more unusual because we had expected to adjourn on October 9, Friday. We were given a calendar that so indicated.

The reason that we are all here on a Sunday and expect to even be meeting on a Federal holiday tomorrow is that the Republican-controlled Congress has not been able to work out its own differences with respect to very, very important bills, particularly those that the Constitution requires that we pass before we go home having to do the funding of government.

I rise today to pay special attention to the items that I am concerned with on the education agenda. I came to the Congress initially in 1965 because I was deeply concerned about the future of education at that point. Ever since then in the 20 years that I have served in Congress, I have spent almost the entire time by serving on the education committee. I also serve on budget. I asked to be assigned to budget because I felt that so many of the issues that related to education were dependent upon funding. So some years ago I sought a seat on the Committee on the Budget and I was so honored to serve. We worked very hard. We produced our budget resolution and for the first time since the budget process was enacted in the early 1970s, this is the first time that the Congress has not voted on a budget resolution.

So something is happening within the Republican majority that has caused us to be here today on a Sunday and not to be able to finish on time. One of the major bills that we have not been able to pass is the Labor, HHS, Education appropriations bill. It never came out of our House Committee on Appropriations and it is still locked in tremendous disagreement within the Republican conference, as well as with the Senate and with the administration and with House Democrats.

Earlier there were comments about the President's schedule and how he was not attending to the business at hand. I would like to say that this Congress has a record of only being in session 106 days this entire year up to Friday, October 9. This is a record of

sorts. I have not gone through all the history, but certainly this must be a record of inattention to the country's business and certainly by the number of bills enacted, this is one of the shabbiest of all records. We have only enacted 241 bills.

So getting back to the appropriations bills, I want to point out some of the real differences. The appropriations bill, as it came out of our House Committee on Appropriations, cut about $2 billion from the administration's education budget initiatives. Goals 2000, for instance, the school reform bill, the appropriations bill cut funding for Goals 2000 by $245 million or by 50 percent below fiscal year 1998 levels. It would have reduced the ability of 6,000 schools to serve 3 million students nationwide to implement the school reform efforts. Goals 2000 has been a primary target of the Republican majority. It was one of those programs that was included in the so-called Dollars to the Classroom effort which eliminated, consolidated 31 programs into one gigantic block grant authorizing the States to spend that money in any way they wished.

So here again Goals 2000 has been cut back. School to work cuts, the appropriations bill cuts funding for school to work by $250 million, 63 percent below fiscal year 1998 levels, undermining the ability of over a million students in 3,000 high schools to experience this exemplary program. Here again, schools to work was one of the programs listed in the Dollars to the Classroom bill which consolidated 31 programs in a block grant. So again the appropriations bill kind of expresses the sentiment of the Republican majority that they want to wipe out this program.

CHANGE IN ORDER OF TAKING SPECIAL ORDER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. STEARNS) is recognized for 5 minutes.

Mr. SOUDER. Mr. Speaker, I ask unanimous consent to substitute for the gentleman from Florida (Mr. STEARNS).

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

DEEP DISAGREEMENTS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. SOUDER) is recognized for 5 minutes.

Mr. SOUDER. Mr. Speaker, once again it is important to point out why we are here. We have a Democratic President and a Republican Congress with disagreements. We have disagreements that are deep and heartfelt. However, we have known these disagreements since at least January 1, probably for the last 4 years since. Every year at this time we come down to the same disagreements. It is over protection of human life. It is over national testing, over the census. It is whether to and how to spend the budget surplus. It is over tax cuts, over IMF and U.N. funding. This list is no surprise. We have known it all year long. So where have the negotiators been? Why can we not sit down, or is there something else going on? Is there something that maybe perhaps the President of the United States would like to take attention away from and try to relive 1995, where we can try to say the Republicans are trying to do a shutdown.

It is pretty clear that we have surrendered almost everything in this appropriations bill and that there is an election going on and those of us who are in the House have to run this year. We are not the ones holding up the process right now. We have been trying to negotiate. We have been trying to work through. Later on today in a special order I want to point out something that I have been going through, this new book on the tapes of Richard Nixon, which were released for the first time. Thanks to the efforts of the author, Stanley Cutler, we can now read in actual words much of the abuse of power that goes through.

I am struck by the similarities that have occurred in this White House. I want to just kind of give you an overview of what I want to go into in more detail later.

One, limit the testimony. This is Haldeman talking to Nixon. So they have granted Sloan temporary immunity and he is going to cover what he knows about the Watergate stuff, which is nothing, and that gets him out of the thing. Two, limit the scope of the investigation, just as the FBI director and Mr. LaBella have alleged this Justice Department is doing. Peterson of the Justice Department is working with that knowledge directing the investigation along the channels that will not produce the kind of answers we don't want produced. Three, finish now, no fishing expedition. This is about a year and a half before the impeachment hearings. Nixon says it is over, otherwise it is a fishing expedition. We have had enough of this. Four, early on they were overstating the potential damage. They talk about trying to build up expectations of indictments and then pulling it back. Five, they complained about spending too much money on investigation. Dean tells the President the resources that have been put against this whole investigation to date are really incredible. It is larger than the JFK assassination. Six, build up expectations so the news is less damaging as it comes out. Seven, October 13, 1972 discussion, they complained about the press obsession. Eight, they took advantage of the public's belief that Presidents actually act logically.

I will go through the actual transcripts later. Nine, this is incredible, what is is, December 11, 1972, Nixon, Haldeman and Erlichman. Erlichman says the Watergate thing, I don't think there is anything to add to what we have already said. Haldeman says, you might resay it. Erlichman, that nobody in the government did this thing. Haldeman says, the White House. Nixon says, what do you mean Watergate White House. Nobody currently in the government. Haldeman says, currently employed in the government, say currently employed. Nixon says, ever involved in the government. Erlichman says, now you have Liddy and Hunt who were at one time employed.

□ 1530

Nixon says, but while they were doing it even, while they were doing it. Erlichman, that's right. Then employed I could say. Nixon says, no one who is an employee of the White House, who is an employee of the White House. And Erlichman says, either at the time of the incident or since? And Nixon says, or since, that's what I mean. Erlichman says, yes. 10, the everybody does it defense. Our Democratic friends said a lot of these things, too, and never got caught, Nixon says. 11, this is just partisan politics. Haldeman tells Nixon, because for the first time in our history we have one of the political parties using the machinery of government to investigate the other political party. Boy, I've been hearing that a lot. 12, coordinate the witnesses. 13, conspiracy to commit perjury. They discuss that. 14. Hidden clues in their testimony and how Sam Erwin was able to pick it out. 15, unapologizing. Nixon says in a conversation with Ray Price, the President, the only problem is that if you get sackclothed too much then you know you no longer can be President. If you go too far in terms of saying, well, I take all the blame and I don't blame these poor fellows and all that, then you think, well, this poor dumb President, why didn't he resign? 16, whining about the special prosecutor and the grand jury. 17, the country is fed up with all this. Haig tells the President, the country is just fed up with all this. It just wants to get on. That is all through the book, by the way. 18, is that all they're doing back there? Dole tells the President, May 23, 1973, Dole, my farmers have criticized, you know, is that all they're doing back there, all they're talking about is Watergate, what about the farm bill, the REA bill, they're sick of it. 19, rally the party's Members of Congress. This is coming towards the end. They say, why don't we go down to the Hill and talk to all the, Dole and Bush are meeting with the President and Dole says to talk just frankly about how important this is that the Republicans, not for Richard Nixon but for the presidency and the party that we do something, and Bush says, I like that, it's a great idea. Then there is even the loyal scheduler, Nixon and Rosemary Woods. He says to take something home. And she says she has it already home, at his request.

I want to go into these quotes more later because I personally think this is Wag the Dog.

The SPEAKER pro tempore (Mr. BRADY of Texas). Under a previous order of the House, the gentleman from Maryland (Mr. CUMMINGS) is recognized for 5 minutes.

(Mr. CUMMINGS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.

DEMOCRATS NEED TO GROW UP AND HELP REPUBLICANS SOLVE NATION'S PROBLEMS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arizona (Mr. SALMON) is recognized for 5 minutes.

Mr. SALMON. Mr. Speaker, I would like to say it is wonderful to be here today, but I like most of you on both sides of the aisle would much rather be home attending church with my family, but we cannot be there because we have got work to do. I am not going to stand here and say that this Congress has accomplished everything that I wanted it to accomplish. In fact there are a lot of things that it could have and should have done that it did not. But as far as the rhetoric is concerned, when I listened to some of the folks, especially those on the other side of the aisle flailing their arms around and squealing in high decibels much like Barney Fife on the Andy Griffith Show, I now know why people are disenfranchised, why they decide they do not want to go to the polls. They are sick and tired of these people back in Washington, D.C. acting like a bunch of juveniles. For the last 4 years since I have been in Congress, I think of all of the things that the Democrats have said about the Republicans. Number one, that the Republicans want to starve the children. Remember back with the school lunch program, that we just want to decimate all the programs for the kids because we do not love kids. We must be child haters. That we wanted to pollute the environment. Somehow that we who are Republicans have some different kind of biological system that is impervious to the pollutants and carcinogens in the atmosphere and in the water, that we somehow would like to pollute the water, that we get glee out of making people suffer, that we want people who are being covered by health care to die, to be sick, to be thrown out of the hospitals, that we do not want to educate the children. If you believe all of these things that the Democrats are saying, then you must believe that we are the worst kind of human beings, somewhat a combination of Jeffrey Dahmer and Charles Manson. You guys need to give it a rest. You get on the verge of being ridiculous. Nobody believes that there are people like that in this country that want to come back to Washington, D.C. and cause mayhem on the American public. It just sounds silly and you need to stop it. I came here as an American first, not as a Republican, as an American, to come here and get the job of the people done. I have four kids in the public schools. I am proud of the job that my public schools do for my children. But I juxtapose that with what I see the results of the American education system producing. Forty percent of our children are dropping out of school across America. Then I look at the TIMS report, and I see that we end up 20th in the math and sciences, scoring 20th, and we are beaten by war-torn Slovenia. Why is that? If you believe what the Democrats are saying, they want to just go ahead and give you more of what we have been getting. Keep dumping money into this bureaucracy back in Washington, D.C. Keep giving you more of what you are getting. Forty percent dropout rate, 20th on the international test scores in math and sciences. Enough is enough. What we are doing is not working. Let us give parents a little bit more say. Let us give the local school boards and the local teachers a little bit more say in how to handle the classrooms. I think it is a crime that teachers have to go to school worried for their lives. I think it is a crime that we have so tied their hands in the American political system that they cannot discipline children, that when children try to poison them or children try to hurt them, that they cannot really do anything for fear of lawsuit. We have a lot of work to do. I think it is a crime that a teacher can be a terrible teacher, can produce the most substandard of results and not be fired, that a teacher can be grossly incompetent and because of tenure, they are protected. I think there are a lot of things that are wrong with our system. I do agree, I think that we need to dedicate more resources when it comes to education. Again I am going to restate, I have four children in the public school system, two of them in high school, one in junior high and one in elementary school. I believe that we need to give our teachers more. But I want to give them 100 percent. I do not want to filter it through Washington, D.C. and send through a pittance of it back to the teachers and back to the classroom to help my children. We want to sit down at the table. We want to fix these problems. If the President were here in Washington, D.C. instead of off campaigning and raising money from special interest groups, if he were here, we could solve these problems. We would like to do that. Because there is so much at stake, so much more at stake than these elections that are going to happen in the next 3½ weeks. But you would think that Armageddon is about to happen, that we Republicans are back here like Simon Legree trying to figure out how to poison the water, how to fail the children, how to poison the senior citizens, kick them out of the hospitals, feed them dog food. Come on guys, you need to stop it, grow up and let us go on and solve the problems of the American people.

CHANGE IN ORDER OF TAKING SPECIAL ORDER

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

Mr. MCDERMOTT. Mr. Speaker, I ask unanimous consent to take the time of the gentlewoman.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

WHAT IS GOING ON IN CONGRESS?

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. MCDERMOTT) is recognized for 5 minutes.

Mr. MCDERMOTT. Mr. Speaker, it is interesting to be here on a Sunday afternoon after watching the talking heads on television this morning. I listened to the distinguished gentleman from Oklahoma who cannot understand the gentleman from Connecticut's outrage at what has happened in the medical system. I am a physician and you are a physician. I have spent time on telephones calling Omaha, Nebraska trying to get additional time for my patients in hospitals. I understand. It does take a persistent doctor. But it should not be necessary for you and I and all our colleagues in the medical profession to spend their time arguing with some bureaucrat who has never seen the patient making a decision about how long you can keep a patient in the hospital. I think the American people understand that. They understand that doctors have somebody between them and the patient. It is always an insurance company person. The failure of this Congress, even if you want to take your bill, your patient protection bill, you could not get it through the Senate. You guys did not come around here enough. The majority party cannot work with the majority party in the Senate to get something done. It is an absolute failure. There is an article here in the newspaper today. It is an analysis, it is on the editorial page of the New York Times. I will enter it in the RECORD. It is by Mr. Herbert. It is called the GOP Cover Story. He talks about the impeachment the other day. He says,

> It was, frankly, chilling. To watch Newt Gingrich presiding over the possible impeachment of a Democratic President, even one as spectacularly vulnerable as Bill Clinton, is insane.

He said,

> This is the same Newt Gingrich who several years ago told a group of young Republicans: ''I think one of the great problems we have in the Republican Party is that we don't encourage you to be nasty. We encourage you to be neat, obedient, loyal, faithful

and all those Boy Scout words, which would be great around the campfire but lousy in politics.''

And then he says,

The Republican Party, refashioned by Mr. Gingrich and his right-wing cronies, no longer has that problem. Since winning control of Congress in 1994, it has consistently pursued a mean-spirited extremist agenda and is now determined to turn the self-inflicted wounds of the President into an even larger majority.

Now, he says and this is what the American people should be thinking about:

Try to imagine the implications of a bigger, more powerful, more aggressive, more right-wing regime of Republicans in Congress. This is a party that is not content with trying to roll back abortion rights. It is fighting on several fronts against contraception. Just last week the Republican leadership in the House, under pressure from the right, killed a measure that would have required Federal health plans that cover prescription drugs to cover the cost of contraceptives. No one seemed to think it was crazy to have abortion foes opposing a measure that would reduce the need for abortions. They could not grasp that.

He goes on to talk about the party that fought a meat inspection system designed to protect the people from the deadly E. coli. Members from my State, where we had children die, lingering deaths of E. coli infection voted against increasing meat inspections. I know we do not want big government. But there are some things the government should do. It should inspect the meat. Children should not die in fast food restaurants or in children's hospitals after a month of hospitalization of something contracted in a fast food restaurant. There is no question.

He also says,

Of course, you can't expect much from the Republicans because their whip denounced the Environmental Protection Agency as the Gestapo of the government.

The Gestapo of the government. This is the kind of talk we get.

He goes on to talk about the leadership's ethics and talks about a whole bunch of things, including one of the leadership who comes out on the floor and delivers tobacco checks on the floor to Members of Congress. I mean, this is right here on the floor. We talk about why we need campaign finance reform. We got Members and the leadership of the majority party walking around handing out checks right here on the floor, while we are fighting about whether we should do something about tobacco. There is lots more but the people ought to be worried about what is going on in this Congress.

G.O.P. COVER STORY

Throughout Thursday's impeachment debate in the House you could hear the uncharacteristally low-keyed voice of the G.O.P.'s chief inquisitor.

''The gentleman from Missouri is recognized for three minutes,'' Newt Gingrich would say. Or he would rap his Speaker's gavel for quiet and ask, oh so formally and respectfully, ''Does the gentleman move the previous question?''

Every now and then he would smile hideously, reminding us that hypocrisy is as abundant in Washington as fertilizer on the farm.

It was, frankly, chilling. Newt Gingrich presiding over the possible impeachment of a Democratic President, even one as spectacularly vulnerable as Bill Clinton, is insane.

This is the same Newt Gingrich who several years ago told a group of young Republicans: ''I think one of the great problems we have in the Republican Party is that we don't encourage you to be nasty. We encourage you to be neat, obedient and loyal and faithful and all those Boy Scout words, which would be great around the campfire but are lousy in politics.''

The Republican Party, refashioned by Mr. Gingrich and his right-wing cronies, no longer has that problem. Since winning control of Congress in 1994, it has consistently pursued a mean-spirited extremist agenda and is now determined to turn the self-inflicted wounds of Bill Clinton into an even larger majority.

Try to imagine the implications of a bigger, more powerful, more aggressive, more right-wing regime of Republicans in Congress.

This is a party that is not content with trying to roll back abortion rights. It is fighting on several fronts against contraception. Just last week the Republican leadership in the House, under pressure from the right, killed a measure that would have required Federal health plans that cover prescription drugs to cover the cost of contraceptives. No one seemed to think it was crazy to have abortion foes opposing a measure that would reduce the need for abortions.

This is a party that tried to eliminate Federal nutrition standards for school meals and fought hard against a meat inspection system designed to protect the public from the deadly E. coli bacteria.

It's a party that attacked Medicare and Medicaid and went out of its way to trash the environment. Clean air? Clean water? Forget about it. Representative Tom DeLay of Texas, the majority whip and a sharp critic of Mr. Clinton, denounced the Environmental Protection Agency as the ''Gestapo of the Government.''

You want ethics? Pull the clips on Mr. Gingrich and learn how not to behave. Or check out John Boehner of Ohio, chairman of the House Republican Conference. I wrote a column in 1996 describing how he took money from tobacco lobbyists and handed it out to certain of his colleagues on the floor of the House, while the House was in session.

These are men who couldn't find the high road if they approached it by parachute.

There is no doubt that Bill Clinton brought his problems on himself. He destroyed his own Presidency. But there are consequences to be paid if the Republicans are allowed to feast too ravenously on the political spoils.

Democrats have already lost the opportunity to control the campaign season with discussions of such issues as the rights of patients in the era of managed care, the need to move boldly to rebuild the public school system, the concerns of working Americans in a chaotic economic environment and the outlook for Social Security.

Having been handed the gift of Monica Lewinsky, the Republicans are running with her. She conceals their real agenda. If they can parlay the Monica madness into substantially increased majorities in the House and Senate, they can renew their conservative assault on government and their submersion of the interests of ordinary working Americans and the poor.

Keep in mind that this is a party that crafted extraordinary tax breaks for billionaires while claiming the sky would fall if the minimum wage was raised to $5.25 an hour.

Bill Clinton and the Democrats fended off the most extreme aspects of the so-called Republican revolution of the mid–90s'. Now Mr. Clinton has given the right-wingers the opportunity to take care of their unfinished business. Only the voters stand in the way.

COMMENTS FROM A CONSTITUENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. MANZULLO) is recognized for 5 minutes.

Mr. MANZULLO. Mr. Speaker, I would just say, I put in 70, 80 hours a week and nobody has ever accused me of killing children because Republicans are withholding money from the FDA for E. coli. It is a shameful remark for the last speaker to say that. We gave the power to Secretary Glickman to use whatever resources are necessary to the Department of Agriculture to fight E. coli. To be accused of killing children. No wonder a constituent of mine Beatrice Mock wrote a letter to me, I picked it up this morning. She said:

Dear Congressman, after listening to the pros and cons of the last few weeks, I decided to call your office and voice my objection to what is happening in Washington. Somehow this quotation came to mind and seems to sum up much of what should be said. If as it seems our Congressmen, Senators and President are only interested in the power their offices gives them and not what is best for the country, only in getting reelected time after time, then we are doomed.

She went through and stated that the numerous members of her family that have fought in every war except World War I started with the Spanish-American war. She said, ''So you see, I have a vested interest in seeing our leaders held accountable for their actions.'' She enclosed a quotation from, I think a State Senator, William Boroh, found in an old Bible that belonged to her family. Here is the quotation:

The salvation of our Republic depends on the people, the strength of might and clarity of purpose of the average voter. Democracies tend to make moral cowards of public men. Unless people rise to the task and demand high ideals and truly American standards, then there is no hope from State legislators, from spineless Congresses or listening to officials.

She concluded,

This quotation should be spoken again and again. Much of your tasks are or may be unpleasant. However, your constituents are expecting you to find your voice and to speak your conscience.

Mr. Speaker, that letter says it all. Values and character do not depend on polls. Let me quote something. Harry Truman once commented on the importance of polls to leadership, with the following insight.

□ 1545

I wonder how far Moses would have gone if he had taken a poll in Egypt. What would Jesus Christ have preached if he had taken a poll in Israel? Where would the Reformation have gone if Martin Luther had taken a poll? It is not the polls or the public opinion of the moment that counts. It is right and wrong, and leadership, men with fortitude, honesty and a belief in right that makes epics in the history of the world.

Some things are right, and some things are wrong, and these do not depend upon the philosophy of the day.

There was an article that appeared in the Washington Times about 4 years ago about Daimion Osby, Fort Worth teenager by the name of Daimion Osby. He was 18 years old, was charged with shooting and killing two other young men, Willie Brooks and Marcus Brooks. They were his cousins. Mr. Osby's lawyers came up with a pathetically cynical defense. The youth committed fratricide because he suffered from, quote, ''urban survival syndrome,'' they argued. In other words, he blew away his unarmed cousins because he thought they were out to get him.

This is not accepting responsibility for one's actions, and irony of all ironies, as I came into the office this morning and saw this letter from my constituent, I picked up Dic DeVos' book on rediscovering American values at home, and it fell open to the chapter on accountability. It is exactly what my client was calling for in her letter when she said:

''So you see I have a vested interest in seeing our leaders held accountable for their actions.''

And Dick DeVos says:

Some like to blame others for what goes wrong in their lives. Others blame God. When we hold ourselves accountable, we accept the blame for wrong choices. Accountability is part of my faith. I believe that we are all accountable to God for the choices we make. Thankfully God is forgiving, but we must acknowledge our mistakes before him. Accountability depends on honesty and humility as well as fairness and courage. This means simply recognizing and accepting responsibility and the consequences for past mistakes and for the state in which we find ourselves. Individuals can receive rewards for accomplishments and victories.

Mr. Speaker, it is accountability for one's actions for which my client has written this letter and which I am glad to share with this body today.

The SPEAKER pro tempore (Mr. BRADY). Under a previous order of the House, the gentleman from California (Mr. BECERRA) is recognized for 5 minutes.

(Mr. BECERRA addressed the House. His remarks will appear in the Extensions of Remarks.)

DEMOCRATS' APPROACH BEST SOLVES THE PROBLEMS OF EDUCATION IN AMERICA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. WYNN) is recognized for 5 minutes.

Mr. WYNN. Mr. Speaker, time and time again, Americans have said that they want Congress to deal with the real issues, the issues that affect their daily lives and that affect the future of their young people. Education is such an issue.

We are here this weekend debating, and some say fighting, over the question of education and America's future. We on the Democratic side have a clear proposition. We believe that we need to invest more money in public education.

As my colleagues know, recently we got a wake-up call of sorts. In a battery of international tests, American students lagged behind their foreign counterparts. Moreover, as we talk about the global economy and the 21st century, what we realize is that we need more technical training for our students in order to compete in the global economy.

That is why education has become the issue of the day. That is why the debate rages.

What I would like to do is talk about the two perspectives and two approaches to solving the problem of education in this country.

On the Republican side they have advocated basically two things:

One, a voucher program. They want to use the District of Columbia as a laboratory in which to take money out of public schools, put it in private schools and say this new competition from the private school sector will create better schools. That is clearly erroneous because they do not put enough money into a voucher program to make it work. Private schools do not have to take all types of students; public schools do. We do not need to put money into a voucher program for private schools because 9 out of 10 American students will always end up in the public school system, and we need to make an investment in the public school system.

Next, they come up with the notion that they like to call dollars to the schools, to the classroom. What I call it is dollars from the classroom because what their proposal does by creating a block grant is to cut over $2 billion from public education and then tell us we are actually putting more dollars in the classroom.

Now we have to understand their premise is that too much money is being spent on bureaucracy. That is simply not true. The fact of the matter is only 2 percent of the entire Federal budget in education for the Department of Education goes to Federal administration. The rest goes to your State, your county and your city to administer education programs. So do not let them come up and suggest, well, there is too much bureaucracy. It is certainly not Federal bureaucracy. We do have that 2 percent, though, and that is used to monitor Federal programs to make sure the money is not wasted at the local level. So they want to take this money out of the Federal sector and take, basically cut it out, of the budget. That is what their dollars from the classroom does.

Let me tell my colleagues some of the things that they cut. They cut educational technology challenge funds. They cut the Eisenhower Teacher Training Program. They cut school to work. Why would you cut a school to work program that is helping students make the transition? They cut the After School Learning Program. Why would you cut a program that helps students after school hours when they are most likely to get in trouble? It does not seem to make a lot of sense.

Now they talk about their Dollars to the Classroom. I did a little research, and from my State of Maryland we will lose $10 million as a result of the Republican approach. So I do not call it Dollars to the Classroom; it is clearly for the State of Maryland and, for most other States, dollars from the classroom.

Now let us turn to the Democratic approach. We believe we need to do a couple of fundamental things to improve education in America. First, we need to hire a hundred thousand new teachers for the elementary school, grades 1 to 3, to reduce class size. That is what we are fighting about over the weekend, whether we need to make that investment, because more teachers mean smaller classes, and smaller classes mean a better learning environment.

Second, we want to invest in modernizing our schools. Over a third of our schools need major repairs. That is to say that they need heating systems, air-conditioning systems, that their boiler systems do not work very well. Over half of our schools have major environmental problems that we need to confront and are not prepared to adapt to the Internet. They cannot be wired to the Internet.

So what we have is a situation in which outmoded, crumbling schools cannot deliver a quality education, and again we on the Democratic side believe we need to make an investment in public education to modernize our school system.

We also have a problem of overcrowded schools. The President came to my school district, we visited a school. The school was only 5 years old, but yet it had 6 trailers outside to teach kids. The trailers do not have air-conditioning, the trailers do not have restrooms. You do not have a proper educational environment.

So here we are. We are confronting the 21st century. We know that we lag behind our international counterparts, and we know we need to modernize our schools. I think the Democratic approach best solves the problem of education in America.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Wyoming (Mrs. CUBIN) is recognized for 5 minutes.

(Mrs. CUBIN addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. BOYD) is recognized for 5 minutes.

(Mr. BOYD addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Mexico (Mr. REDMOND) is recognized for 5 minutes.

(Mr. REDMOND addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Tennessee (Mr. CLEMENT) is recognized for 5 minutes.

(Mr. CLEMENT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arizona (Mr. KOLBE) is recognized for 5 minutes.

(Mr. KOLBE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

THE NEED FOR HATE CRIME LEGISLATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. FOLEY) is recognized for 5 minutes.

Mr. FOLEY. Mr. Speaker, on the front page of virtually every newspaper in America yesterday, I saw a story that sickened me when I read it and should shock every Member of this body. Matthew Shepard, the 21-year-old student at the University of Wyoming who was described by a family member as an incredibly caring person with a big heart, mind and soul, was lured Tuesday night from campus by two young men, driven a mile outside of town, bludgeoned with a blunt instrument and tied to a fence like a dead animal. Close to death, with his head battered and burn marks on his body, he was discovered 12 hours later by two passing cyclists who at first said they mistook his unconscious body for a scarecrow. Today, as we deliberate here, young Matthew Shepard is lying in a coma, clinging to life.

Why was this young man singled out for such a barbaric act of violence? According to all accounts, he was attacked simply because he was gay. This is the latest in a series of brutally violent crimes committed against people for no other reason than the color of their skin, their sexual orientation or their religion.

For example, in southern Virginia last year, a soft-spoken black man was soaked in gasoline, burned alive, and then beheaded in the yard of his slayer. The victim was the only son of his parents, who were incredibly proud of his service in the Marines. He was targeted for this act of violence, it was discovered, simply because he was black.

Likewise in April 1994, two African American men murdered a white father of three in Lubbock, Texas. The killers later stated that they had set out to find a victim this time who was white.

Earlier this year in Illinois, a Hispanic family mourned the loss of their son who was kicked and verbally abused as he lay on the ground bleeding to death, shortly after being in a car accident with the assailant. According to the authorities, the driver of the other car was upset that his car had been damaged and went over to the victim and repeatedly kicked him in the stomach while shouting, ''Mexican, go back to Mexico.''

And all of us by now have heard about the recent slaying in Texas of James Byrd, a disabled black man. The Nation was horrified to hear the account of Mr. Byrd who was offered a ride by three young men in a pickup truck. After luring him into their vehicle, buying him beer and driving him to a remote location, the men beat Byrd unconscious, chained him to their truck and dragged him around until he was beheaded.

Incidents like these underscore the need for Congress to move forward and pass pending hate crime legislation sponsored by my colleague from Florida (Mr. MCCOLLUM). We have a responsibility as lawmakers and as human beings to do everything in our power to punish those who commit hate crimes of any kind to the fullest extent of the law. But it is equally important for us to speak out loudly against those individuals and organized groups like neo-Nazis, white supremacists, and skinhead sects which target people based on benign traits like skin color, sexual orientation or religion.

Today we should all keep Matthew Shepard and his family and his friends in our prayers as we reflect on this brutal act of violence. If we are in fact to survive as a society, we have got to come to grips with these horrible, horrible crimes that are being committed around us, and we have got to teach our children different, we have got to set examples.

The two young couples that disposed of the body of a baby in a trash can as they celebrated their evening prom continue to underscore how terribly weak we are becoming as a Nation and how careless we are becoming with facts and how we are not protecting each other from these types of acts of violence.

So, again I urge my colleagues to speak forcibly on this floor about protecting every human being on this earth. And we may have our differences, we may disagree on a lot of things, but to witness these kind of crimes being repeated and repeated and repeated, and allow them to go unchallenged, and allow it to be, well, because he was different, or that just happened because he was hanging out around the wrong types of people. Even the characterization of a legislator several years ago when he said, homosexuals are like gay bulls; they are worthless and should be sent to the packing plant. When legislators and people of authority start talking about other people like that, you wonder what impact it may have on average Americans who are sitting, listening.

□ 1600

DOING THE PEOPLE'S BUSINESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arizona (Mr. HAYWORTH) is recognized for 5 minutes.

Mr. HAYWORTH. Mr. Speaker, I thank my colleague from Florida for his thought-provoking remarks.

Mr. Speaker, I have listened with interest to many different perspectives on this floor and in this chamber on this Sunday afternoon when we remain in session intent on doing the people's business.

Mr. Speaker, I was especially astounded to hear a lecture in ethics from the other side, particularly from one Member who finds himself ethically-challenged and, indeed, involved in civil litigation concerning what many would define as an ethical problem, and yet that is the level of absurdity we have reached in Washington, when those who are suspected of doing wrong often stand to claim their endeavors to be right.

So it is sadly, Mr. Speaker, at the other end of Pennsylvania Avenue, where this morning our President met with leaders of the minority party, but failed to meet with the leadership of this House from the conservative majority. Indeed, in discussing with the leadership of the majority party the phenomenon, apparently this President has not met with the majority leadership throughout this two years of the 105th Congress.

Yet tomorrow, Mr. Speaker, the President of the United States will leave our Federal capital, intent on raising funds for electioneering. First he will go to Palm Beach, Florida, and then tomorrow night he will go to New York City. New York City? Yes, New York City. He will be there to raise money for a Member of this House who sits on the Committee on the Judiciary and who has aspirations of joining the other body here on the hill.

Now, Mr. Speaker, I understand how hard bitten and cynical Washington, D.C. has become. Indeed, in stark contrast to my usual weekend activities when I am back home in position to listen and learn from the constituents of the 6th District of Arizona, I had the opportunity this morning to watch the various Sunday news programs, and came away from those just a bit chagrined by the ferocity of the spin cycle, and the seeming hunger on the part of the media elite to cast aside the Constitution and find some unconstitutional or extra-constitutional remedies for the plight in which our President finds himself.

Mr. Speaker, we should all remember, we stood here as a body 435 strong in January of 1997, raised our right hands and swore to uphold and defend the Constitution of the United States. Those in the Executive Branch take a similar oath. And for anyone in any office to suggest that we cast aside the Constitution and constitutional principles to embrace some remedies of

convenience, do our constitutional republic a grave disservice.

Indeed, Mr. Speaker, I would call upon the President of the United States to cancel his questionable fundraising activities tomorrow, to stay in Washington, D.C. and to do something unique, indeed, novel: To call the leadership of the Congress and to join with Members of this House and the other body in constructive solutions to the challenges we face. Otherwise, Mr. Speaker, let us state clearly, so there will be no doubt, we are prepared to stay here as long as it takes.

COMMENTS ON CONGRESSIONAL ACTIVITIES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

Mr. DEFAZIO. Mr. Speaker, the speaker who preceded me in the well waxed eloquent about the President of the United States leaving town for a short while tomorrow to do some fundraising for the Democrats, and he took great opprobrium to that. But I would remember twice in this Congress in the midst of the legislative session when the House went out of session, in the middle of the week, on a Wednesday at 4 o'clock in the afternoon, so the Republicans could get on corporate jets and fly up to New York for the largest fund-raiser held in the history of the United States. Their corporate buddies flew them up there. Wasn't that nice?

What is the result? The work is not done. It is not surprising. Congress has been in session 108 days working here in Washington, D.C. this year. The average American working for wages has put in 200 days so far this year, and they have gotten their job done, every day, day in and day out. Congress, having worked under the Republican leadership one-half as many days and being paid generously quite more, has not gotten its work done.

There is nothing for the President to sit down and talk to the Republican leadership about. The Republican leadership cannot even agree among themselves. On the House side they have tried to cut taxes by taking the money and stealing it from the Social Security trust fund. The Republican leadership in the Senate has wisely chosen not to go down that path.

The Republicans in the House passed a de minimis, not very helpful, but better than nothing HMO reform to give patients some little bit of rights, nowhere near what we would have done on the majority side or even some Republicans wanted to do on their side and were blocked by their own leadership. The Senate has denied that.

So there is no agreement between the Republican leaders of the House, the Flat Earth Society, and the Republican leaders of the Senate, those who are sometime in the era of Christopher Columbus and discovered the Earth is round, but not much further ahead of that in history. They cannot agree. So how can the President sit down with a bunch of turkeys who cannot agreeing among themselves within their own parts I?

Yesterday when we were talking about the failure of the Republicans to do anything for education, smaller class size, more teachers, rebuilding and building schools across America, something that would be a real benefit to the American people, when we talked about the failure to do anything for patients rights, when we talked about the attacks on the Social Security trust fund, the chairman of the Committee on Rules jumped up and said, ''That is right, but we have cut taxes.''

Now, I would ask those who are listening today, are your taxes really lower than they were four years ago when the Republicans took power? In fact, the answer is no. The first returns on the 1997 Taxpayer Relief Act are in. The results are striking.

Seventeen of the 80 percent, that basically figures out to about 14 percent of the people earning less than $59,000 a year, got a generous tax cut of $6. I hope you did not spend it all in one place. Maybe you put it away for retirement or the kids' college. That is great.

Now, we go after the $59,000 to $112,000 bracket. They did a little better, $81. But that is not where the money really went. Guess what? Two-thirds of the taxpayer relief under the Republican bill passed last year went to people whose incomes average $660,000 a year, and guess what? They got $7,135. Now, the families struggling on a $59,000 income got $6. The families struggling, the Republican constituency, just struggling to make ends meet on $666,000 a year, they got $7,000.

But, don't worry, they will spend that money in a way to put Americans to work. Of course, the Republicans are against any increases in the minimum wage and they are following a trade policy which is driving down wages in America.

But they have done great things for the American people, great things, but they cannot get their work done here in Washington, D.C. They have raised a pile of money, and they want to go home and spend it to change the subject from what they have not done in Washington, D.C. or what they have done in killing HMO reform, in killing tobacco legislation, in attacking the Social Security trust fund, and what they have not done for education and what they have not done for average working families.

Shame on the Republican Party.

FOREIGN POLLUTION AT AMERICAN BEACHES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. BILBRAY) is recognized for 5 minutes.

Mr. BILBRAY. Mr. Speaker, let me just say to my colleague as somebody who owns a tax business in a working class neighborhood where not one client makes over $100,000, I think it is fair to know that tax reductions for the working class people in this country are coming in the next few years, mostly because bipartisan negotiation put off a lot of those reductions. So I do not want to get into that. I am just meaning to address the fact that the partisan bickering has gone so far that people that would normally be outraged and would obviously never vote certain ways are voting ways totally contrary to what their personal belief is. It is either that, or they are just so busy fighting that they are not reading what is being proposed and what they are voting on. It is too easy to vote ''no'' against a Republican because he is a Republican, or vote ''yes'' for a Republican because he is a Republican, or vote ''no'' because he is a Democrat.

The point I am talking about is this summer, as a father, I was taking my children to our beaches in Imperial Beach, Southern California, and this is what we were greeted with, pollution signs that were closing our beaches and saying to children, you are not allowed to go in this water.

I want you to notice that the sign is a bilingual language sign. That is for a good reason. I will explain it later.

The point being, was this a corporation that polluted our beaches? Why was Washington not doing something about it? In fact, this pollution problem has gone on for 20 years. The fact is the reason why it was not taken care of is not because it was a corporation, and I think my colleagues on both sides of the aisle would say they would be outraged if an American business was polluting the beaches so badly that children could not go in the water.

The real outrage about this issue was it was not an American business or citizens polluting these waters, it was a foreign government desecrating U.S. territory with sewage in such large magnitudes that it not only affects the environment so you cannot get in the water, but it is also destroying the largest estuary and sanctuary in the Pacific coast.

You can say wait a minute, Mr. BILBRAY, how could a foreign government actually be polluting and desecrating American soil? Let me just give you a little geography lesson here.

The San Diego-Tijuana Tijuana border happens to be cut by the Tijuana River. But, unlike a lot of rivers, the Tijuana River flows north into the United States.

Now, that normally would not be a problem, except for the problem that Tijuana has been growing so fast, a lot of it by economic development, that the sewage lines are broken and are flowing into the Tijuana River, flowing through the Tijuana estuary and preserve, and going up into the surf zone for the United States.

Now, you understand, these beaches have been impacted for 20 years. Well, the Federal Government has told us,

and I will tell you this as a young mayor of 27 years old, I was told by the Carter administration, that is how far this problem has gone, that, Mr. Mayor, we don't want to do anything that may be embarrassing to Mexico, because we are trying to close a deal on oil.

I would just ask my colleagues on both sides of the aisle to consider the fact that someone said we do not want to confront a major corporation with polluting our water because it might embarrass them.

I do not think my colleagues on the other side of the aisle would ever stand for their neighborhoods being polluted, and in fact would not support allowing $200 million of taxpayer funds to be wasted or not put to appropriate use. $200 million is going to be spent by the taxpayers of the United States to address this problem, and the problem is continuing.

Now, what was the resolution voted against by all but 28 Members of the Democratic Caucus? The resolution said if Mexico does not stop polluting U.S. waters, Congress will take a look at our treaties that relate to Mexico. Can you imagine that being so outrageous, that if the pollution keeps going, we are going to continue to shut it down? That we are just going to ignore it, because we do not want to even look at our treaty obligations?

I do not believe my colleagues who voted against this bill read the bill or understood the bill, and I do not believe that all but 28 Members of the Democratic Caucus believes that they should vote no to clean up the sewage problems and the pollution problems along our border.

□ 1615

I do believe they got wrapped up in this partisan bickering this week that says if a Republican proposes it, let us vote against it. They voted against it, even though it was against the environment.

I would ask every one of them to go back to their constituents and say, citizens, I believe that our treaties with Mexico are more important than the environment; that Washington should continue not to address this issue comprehensively, that Washington should find excuses for Mexico polluting our waters.

Mr. Speaker, no one in this House has worked longer and harder at working with Mexico, at taking care of this problem. But we do not solve problems by ignoring them or walking around them. I have dear colleagues on this side that come from my State that I will continue to work on pollution problems with, but because we got so wrapped up in the partisan bickering, we had votes that were totally contrary to the historical facts, and desecrated our environment.

Mr. Speaker, I would ask my colleagues on both sides of the aisle, put the partisanship away. Let us vote for our children, our environment, and quit finding excuses to vote no on everything that comes before this floor.

The SPEAKER pro tempore (Mr. HAYWORTH). Under a previous order of the House, the gentleman from Hawaii (Mr. ABERCROMBIE) is recognized for 5 minutes.

(Mr. ABERCROMBIE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

THE FEDERAL ROLE IN FUNDING FOR EDUCATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. BALLENGER) is recognized for 5 minutes.

Mr. BALLENGER. Mr. Speaker, I think everybody has heard that great and wonderful quotation about ''We are from the Federal Government and we are here to help you.''

I don't know how many are old enough to remember the good old days before the Federal Government got into funding the education program that we all have throughout our country. I think, unless I am mistaken, since they got in there and we were taking test scores and things like that, the grades have gone down.

The Federal Government's assistance has been fabulous. They come up and say, we are going to give you 6 percent of all your funding. That is what they have done so far. Six percent is all the Federal Government gives us in funding education at the local level, but they give us 100 percent of the rules and regulations by which we have to operate.

I know at this particular time, back in the 1960s, I kept trying to tell people, do not accept Federal money because it will come with strings, and you will not have the slightest idea what they are going to tell you to do the next day. But they did.

It was not too long ago, I think about 6 or 8 months ago, or maybe when we first came in and got control of Congress, we decided that somebody, somewhere, ought to come up with the idea of preventing unfunded mandates.

Let me give Members an idea of unfunded mandates. Unfunded mandates are what the Federal Government says you have to do if you accept their money. So here we are, accepting 6 percent of the money from the Federal Government, and they come up with new ideas. One of the ones they came up with, and I am not saying that this particular idea was terribly wrong, it is called IDEA. It is the Individuals with Disabilities Education Act.

Basically, what it was is children with disabilities were not getting a proper education, so the Federal Government, being thoughtful and thinking of what was right and what was wrong, decided we are going to mandate to you folks back home in your school system, we are going to mandate that you take this special education pot and take care of these children.

So they did. They mandated that we do it, and guaranteed, let me just tell the Members, they guaranteed that they would fund up to 40 percent of this total amount of money that was going to be given to run this special education program.

So far, and I have been here in Congress 12 years now, under the Democrats they never raised anything. They got up to 7 percent and that is where they stopped. They never got any higher. They were supposed to come up with 40, and promised us in blood, we will give you 40 percent of the costs, but they never did. They never got up over 7 percent. Really, we took control 4 years ago, and we have increased it to 11 percent. But stop and talk about a mandate, this program is underfunded by $10 billion.

The President has come along with a great and wonderful idea, 100,000 new teachers. Can Members imagine how they are going to fund these teachers? Why in the world, if they are coming up with all these brilliant ideas, do we not fund programs that we have already brought up?

The fact of unfunded mandates is one of the major things. I was a county commissioner for 8 years. We spent time after time trying to figure out, if we took the Federal money, what were the strings they were going to put on it and make us do? If we wanted money for a sewer but we had to apply for water, we could not use it for whatever is necessary. At one time under President Nixon, they decided to open it up and let them take Federal money and do with it what they thought they really needed, but that is not the way it operates still.

We passed that program several years ago, just a couple years ago, about unfunded mandates. Let me say, they are coming along now and telling us how much they are going to help us with construction of schools. The Federal Government is going to step into this and help get school construction started.

I do not know if Members have ever heard of a thing called the Davis-Bacon Act. The Davis-Bacon Act says if there is a dollar's worth of Federal money in any construction, they must pay what is a little higher than union wages. In an area like mine in the South, and we are a right-to-work State, if we accepted a dollar's worth of Federal money to construct schools in our State, it would cost us 30 percent more.

In other words, if we wanted to build a $1 million school and we accepted the Federal money, because of the additional labor costs, it would cost us $1,300,000, a complete loss of $300,000 worth of local money because we accepted something from the Federal Government.

All of these great and wonderful things about the 100,000 teachers, and helping us with schools, all of this is

going to cost money from somewhere, yet the Democrats and the President have promised, they have guaranteed the elderly, and I happen to be one that collects Social Security, they guaranteed us that they are going to protect Social Security come hell or high water. They are going to take care and make sure that it is untouched. Yet, just in the education programs alone, they have to be spending billions and billions of dollars that we do not have.

So where do they get the money? The money obviously has to come from the surplus. There is, everybody knows, no surplus. It belongs to Social Security, so anything we do is basically Social Security money being used by the Democrats to fund their favorite dream.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Tennessee (Mr. GORDON) is recognized for 5 minutes.

(Mr. GORDON addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

PARTISAN DIALOGUE ON EDUCATION NO LONGER HOLDS THE TRUTH

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arizona (Mr. SHADEGG) is recognized for 5 minutes.

Mr. SHADEGG. Mr. Speaker, we are all aware this is a Sunday afternoon. As one of my colleagues noted earlier, we would rather be somewhere other than here. I, for one, would like to be home with my family, and with my children. I would have liked to have been there last night, when he played goalie for his soccer team for 2 games in a row, because the other goalie was out sick or had an obligation. But instead, we are in Washington, D.C. working on the Nation's business.

I noted with interest the President's speech yesterday. The Nation's business at this point is finalizing our budget process and coming to agreement. Yesterday we held a little press conference out on the steps of the Capitol. We called on the President to join us, to join us in resolving our differences in getting the Federal Government funded for the next year and to move on with the Nation's business. Unfortunately, we have not been able to achieve that because there is disagreement.

We should not set aside our principles. We disagree legitimately on the scope and role of the Federal Government. We believe that we need a smaller Federal Government. The other side believes we need a larger Federal Government. We believe we need more local control. The other side believes we should federalize almost all of the issues.

We have reached a point, though, where we must find a common middle ground. The President has decided that we cannot reach that middle ground because, he says, the Republicans are failing to pass his education initiative.

It really is sad that the dialogue in this country becomes partisan and no longer holds the truth. In this case, the Republican record on education is one that the Nation should be proud of, and one that the President actually, I believe, supports and has supported.

In the 105th Congress, in this Congress, this Congress has sent the President seven different measures which he has enacted and signed into law: The Higher Education Act, the Special Education Fund, the WorkForce Investment Act, the Loan Forgiveness for New Teachers Act, the Quality Teaching Grants Act, The Emergency Student Loans Act, and The Prohibition on Federal Tests Act.

We also have seven additional bills waiting for the President's signature: school nutrition, charter schools, quality Head Start, vocational education, Community Service Block Grants, $500 million plus for special education, and the Reading Excellence Act. This is a record of which every single American should be proud, a record of the Congress doing its job to fund education.

Yet, I was saddened to hear in the President's radio address yesterday this issue made partisan. The President, it seems, wants his ideas imposed on education. What does he want specifically? Number one, he wants national testing. Number two, he wants new teachers, 100,000 new teachers, but he does not want them hired under Title I, the existing Federal program that funds the hiring of teachers.

He wants them in a new program, the Bill Clinton new teachers program, and he wants 5,000 new classrooms. He wants those in the Bill Clinton New Federal Teacher Construction Classroom Act, so that he can have his name on it. That is what this issue is about.

Yet, let us look at the record, because the record is one in which Republicans have an excellent record on education, and in which the history of education is actually quite sad for the Federal Government in total and for the Democrat Congress in particular.

Let me talk specifically about the issue of special education. We all understand special education. We understand the IDEA Act. We have talked about it. I recall very distinctly standing on this floor last year and fighting for more funds for IDEA, for funding for children with special education needs.

Let us talk about why I was fighting for that, where this Congress stands and where this country is, and why what the President says he wants is not what this Congress did under Democrat leadership, and is not what this Congress is even doing now when we are trying to get funds into special education.

Let me make this very clear. Current Federal law, passed under a Democrat Congress, says that 40 percent of the cost of educating, that is, the increased cost of educating a special education child, a child with special needs, 40 percent of that cost is supposed to be borne by the Federal Government. The remaining 60 percent is supposed to be picked up by the State and local governments; 40 percent Federal, 60 percent State and local.

That is what the law says, in theory, passed by the Democrat Congress and Congresses before the 104th Congress. But what is the reality? The reality is that when the Republicans took control of this Congress, only 6 percent was being funded by the Federal Government. Now we have moved that up to 12 percent, but we are falling millions of dollars short. This list shows how many millions. We are falling short in Los Angeles Unified District by $60 million every single year.

Mr. Speaker, I urge my colleagues, if we will fund IDEA, the districts can take care of their own education needs without passing the President's Federalization initiative.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. LOFGREN) is recognized for 5 minutes.

(Ms. LOFGREN addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. LEWIS) is recognized for 5 minutes.

(Mr. LEWIS of Georgia addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GREEN) is recognized for 5 minutes.

(Mr. GREEN addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. DICKS) is recognized for 5 minutes.

(Mr. DICKS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

CONGRESS ACHIEVES LITTLE, WHILE EDUCATION NEEDS IN AMERICA ARE GREAT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentlewoman from Connecticut (Ms. DELAURO) is recognized for 60 minutes as the designee of the minority leader.

Ms. DELAURO. Mr. Speaker, let me just make one comment, to start off with. First of all, let me just thank my colleagues who are here this late afternoon on a Sunday. There has been a lot said on the other side of the aisle about wanting to be home with family, and

that we are here working. We all would love to be home with our families today and yesterday, and for a holiday tomorrow, but let us put this in the context of what we are talking about, the reason that we are not home.

The reason is very simple, that this is a Republican-controlled Congress that in fact has failed to get done the very basics in terms of legislation and process that our Federal Government relies on. Do not take my word for it. The statistics are all there. This is a Congress that has worked the least number of days in decades, 108. It has been said that regular people, real people, over 250 days they have worked, hard work every single day.

They have enacted the least number of bills in decades. They have not even passed a budget, and that is the first time. I do not keep the records. They have not passed the budget, and that is the first time since the budget process in the United States was created. Think about that, Mr. Speaker. They have failed to pass even routine spending bills on time.

I want to make one more comment before I yield to my colleagues who are here. It has also been said on the other side of the aisle that the President has not been engaged in the process. I want to send to my Republican colleagues a very simple book that is called ''How Bills Become Law'' in this country. Every child in our school understands the process. That is that the House and the Senate must determine what gets done in a piece of legislation before the President signs that piece of legislation.

□ 1630

I will tell my colleagues that this Republican-controlled Congress has not brought the bills together so that, in fact, the President could act on it. So he is waiting for this crowd to get its act together.

One more point, I will say that there are Democrats and Republicans in this body. What we need to know and understand is that, in fact, yes, the majority party controls. When there is that control, that means that they have charge of the calendar; that is what bills come up, what bills do not come up. They are in charge of the schedule of when we do what we do. The long and the short of it, they are in charge. They are responsible for legislation that gets accomplished or not accomplished in this body.

Do not let them get away with saying that it is other people's fault.

Mr. Speaker, I yield to my colleague, the gentleman from California (Mr. MILLER).

Mr. MILLER of California. Mr. Speaker, I thank the gentlewoman for yielding and for the points that she has made.

It might seem unusual to our visitors in the gallery that, on a Sunday afternoon, they would see Members of Congress on the floor of the House, or to people who are watching C–SPAN, it would be unusual for live C–SPAN covering the House on a Sunday afternoon.

But the fact of the matter is is that Congress is stuck in Washington, D.C. because the Republican Congress has failed to finish its work for the year. They have failed in the grossest fashion possible.

They were supposed to have a budget on October 1. There is no budget. They were supposed to have finished the appropriations bills to run the government of the United States and conduct our obligations. Only six of the appropriations bills have been passed. The major ones have not. They have, so far, been unable to get them to the President of the United States.

As the gentlewoman Connecticut has pointed out, this is a Congress that has only worked 108 days so far this year. The average American have worked somewhere around 250 days to this day. Many people in my district and others working, out of the 283 days, sometimes working almost the full 283 days as so many people work Saturdays and Sundays along with the 5-day week.

But this Congress decided that it could come in on Tuesday at 5 o'clock most weeks, Monday at 5 o'clock, and it can leave on Thursday. It can leave on Wednesday. It would not come in at the end of the August break. It would stay out an extra week. The result is they simply have not done their work.

They have not done their work for another reason also, and that is pointed out in the Washington post this morning in their lead editorial where they simply say that the Republicans had no agenda for this year.

The Republicans were coming to town just to manage the Congress to try to keep the numbers that they have so that they can retain the power in the Congress, but they really had no agenda for the American public.

The tragedy is that the American public had an agenda for this Congress. The American public had an agenda of improving public education, of asking the Congress to help local school districts rebuild crumbling schools to make them technologically competent, to deal with the education of our children, to make them safe for our children, to go and to repair the falling ceilings and repair the roofs, to try to help out the local communities.

Local communities are doing this. But many communities need additional help. They are just simply too poor to do that. The American public had an agenda to try to help get HMO reform, to get a Patients' Bill of Rights so that patients and doctors would once again be in control of their health care so that, when the doctor says you need an MRI or the doctor says you need a prescription of a certain drug, you get that because your doctor who has been trained in medicine knows best for you. He knows your care. He has watched you as a patient. He understands your problems.

What do we have today? We have doctors getting on the phone and calling bureaucracies, calling 800 numbers, pleading so that they can have their parents have an MRI so that they can diagnose whether or not they might have a tumor or not have a tumor or so that they can do surgery or not do surgery.

They are constantly told by the HMO bureaucracies, wait 30 days, let us see if it cures itself. Rarely, ladies and gentlemen, do tumors cure themselves. Rarely do these kinds of things happen. But the HMO is trying to save money.

So the American public was asking the Congress, help us put doctors and patients back in the control of health care. That was not done.

Campaign finance reform. The American public was astonished 2 years ago at the campaign finance scandals, the amount of special interest money coming into our campaigns. The Congress refused to act on that agenda.

Tobacco legislation to try to stop teenage smoking to try to recover health care costs that we spent with people who received cancer from smoking. The Republican Congress failed on that to protect the environment.

Again, as the Washington Post said, that no serious problems were addressed, and no serious environmental problems either. In fact, they said the great success of this Congress was doing damage control against the Republican agenda to eviscerate the environmental laws of this country.

So that is why my colleagues and myself are on the floor here on a Sunday afternoon, because the Congress, the Republican Congress, I should say, we have had this agenda. We have proposed legislation. The Democrats have proposed all this legislation. The Republicans have refused to enact it. They refuse to the work.

So now we find ourselves here on a Sunday afternoon, we find ourselves with no budget the first time since 1974, and with many of the important appropriations bills not passed and an important agenda dealing with problems in this country not addressed by this Congress.

Ms. DELAURO. Mr. Speaker, I yield to the gentleman from California (Mr. FARR).

Mr. FARR of California. Mr. Speaker, I thank the gentlewoman from Connecticut (Ms. DELAURO) very much. She has really brought us together.

It is interesting today. We have the Congress Member, the gentlewoman from Connecticut (Ms. DELAURO) and the gentleman from Connecticut (Mr. GEJDENSON), the gentleman from New Jersey (Mr. PALLONE). Congress Members from the West coast, obviously we could not get home this weekend, those of us from California, Oregon and Washington.

We are here to talk about that this year is the 105th session of Congress. We should have been home, adjourned sine die, all the business done. If this were a school year or business year, we would be over, and everything would be done.

Here we are on a Sunday afternoon talking about the failures of this Congress and particularly the failures in education. If the story is going to be written about education and the GOP leadership on education, I think the headlines would say ''Republicans: Underachievers and proud of it,'' because they have never been able to put together a substantive program for education to really address the needs that have been unmet: the unmet needs of school buildings that need money for construction and repair, the unmet needs for new teachers, the unmet needs for educational opportunities, zones to provide in those hardest of areas sort of an involvement to really deal with the root causes of people unable to get a good education, expanding the access to after-school learning, and expanding access to educational technology.

They have all been the bills that the President asked us. As the gentlewoman pointed out, the President comes here and addresses the Nation every year and, in that speech, outlines what the goals for this Nation should be. He proposes to this Congress.

We are supposed to dispose. The only way we can dispose is to put our cards in that slot right there and around this room and get the majority vote of 218 votes.

Here today we hear the Republicans attacking the President of the United States for traveling, traveling on international business. I mean, he has had incredible successes in China, incredible successes in Europe, incredible successes in Latin America, and he is being criticized for it. He does not have to be here in this room to get his business done.

Members of Congress have to be here. Where are they? They are not getting the business done. So the leadership of this House, the Republican leadership of this House should be ashamed of the fact that we are here overtime without a budget, underbudgeted for education, and not meeting the felt needs, the desires of the men and women who have sent us here to provide what is essentially the only thing that the Federal Government can do, and that is that safety net for education.

We hear the debate here on the floor that we do not want safety nets anymore. We want to just privatize education. When the schools of the District of Columbia came up for funding, Congress did not approve that funding and turned around and said we want to privatize this education.

What my colleagues are saying is this voucher system. It did not work in California. It was rejected there. They want to ram it down our throats and say, ''Californians, you were wrong. We are going to give you vouchers whether you like it or not.''

It is time that we, the United States Congress, go back to the basics of this country, go back to what supports the domestic tranquility. We cannot have peace around the world until we have peace at home. We cannot have peace at home until every father and mother, every parent of every child in this country has satisfaction that the schools they are sending their children to are safe, sound, and excellent centers for learning. We get there from here unless we adopt what the President of the United States asked this Congress to do.

Mr. Speaker, I commend the gentlewoman for allowing us to have this time to discuss that.

Ms. DELAURO. Mr. Speaker, I want to thank the gentleman from California (Mr. FARR).

Mr. Speaker, I yield to the gentleman from Oregon (Mr. DEFazio).

Mr. DEFAZIO. Mr. Speaker, I thank the gentlewoman for yielding to me.

Mr. Speaker, Congress is still in Washington, and we are here on a Sunday because the Republican leadership has simply failed to do their job. It is quite simple. For the first time in a quarter of a century, since the adoption of the Budget Act, Congress has failed to adopt even a first budget resolution.

The leaders of the House, otherwise known as the flatterer society, and the leaders of the Senate, perhaps a slightly more progressive group recognizing the shape of the earth, have failed to agree on the basics of a budget.

The leaders of the House want to have a huge tax cut raided from the Social Security trust funds. The leaders from the Senate somewhat prudently have not decided to do that.

But, then again, the leaders in the House, when confronted with anger across America from people being denied essential care for themselves and their loved ones, and physicians even rising in anger when they are being denied tests and care that they know that their patients want, with all that pressure, the insurance industry, which pretty much sponsors the other side of the aisle at election time, could not be fully protected.

So they passed, better than not, but not much of a patient and providers bill here in the House, an HMO bill. But even that was too much for the leaders in the Senate because it might jeopardize their fund-raising with the insurance industry in a year when they hope to make big gains in the Senate.

Of course tobacco, well, that did not go anywhere on either side with the Republican leaders, despite the fact that the American people are appalled to see the rise in teenage smoking and what that will yield 10 and 15 and 20 years down the road.

So here the Congress has no budget, many major bills denied. But at least we could salvage something. We could salvage the President's education initiative, something that all Members of Congress, no matter what side of the aisle they come from should be able to agree upon.

They should be able to go home to their own districts and see the fact that the schools are crumbling and overcrowded, and there are trailers parked on what used to be the playground because there are too many kids to fit in the school.

If they went inside the school, the public schools, they would find that the classes were about twice what they were when they were kids when they went to public school. A lot of people on the other side of the aisle did not. They would see that the teachers are carrying more classes and working harder. There is no counselors anymore in most of the schools. They would support the President's initiative to help add teachers to the schools, reduce class size, and rebuild our crumbling schools and make them safe for our kids.

But they tell us there is no money to do that. There is no money to do that. Wait a minute. Was it not the same leadership here on the House side just a couple of weeks ago who jammed through tax cuts that were paid for by raiding the Social Security Trust Fund, otherwise known as the budget surplus?

□ 1645

They could find money to do that. They could find money to cut taxes in an election year favoring the usual suspects. But no, there is no money for the schools and the kids and the teachers. They say there is no money.

Look at the Department of Defense appropriation this year. It adds $4.1 billion, not million, billion dollars of pork projects that were not requested by the Pentagon. This is the same Pentagon that has now come up to the hill and said, we need more money, we need gas for the tanks, the soldiers do not have ammunition, the housing is crumbling for the enlisted ranks. I want to take care of those things, but guess what, the Republican majority already spent that money. They spent it on pork projects that the Pentagon did not ask for. But they tell us there is no money for the kids and the schools and the teachers.

Now, somehow they can find money for the mythical space station that we are building with the former Soviet Union. This thing is only about 2,000, 3,000 percent over budget, 10 years behind schedule. We keep pretending that they are going to build parts of it over there. Now we have to pay them to build parts of it over there, in addition to building the parts over here, but pretending they are building them over there. It has no mission. There is $40 billion over the next 10 years. But there is no money for the schools and the kids and the teachers. What is wrong with these people? What is wrong with them? Where are their priorities?

Well, they do have some priorities when it comes to education. Eliminate the Department of Education, priority number one. Divert billions of dollars from public school funding to private school vouchers. That is their answer to the crumbling public schools. And

the large class sizes and the lack of public funding, take that money and give it to the private schools. Cut school lunches for poor kids and end equal opportunity for higher education. Cut student loans, give higher subsidies to the banks so they will give some student loans.

Mr. GEJDENSON. Mr. Speaker, I just think that it is interesting where the priorities are, as the gentleman points out. I am sorry I offended the gentleman earlier today about the intensity of my statement. Frankly, when I find friends and relatives and constituents losing their health care, dying because of bad health care, it does bring out an emotional response. It is infuriating and frustrating. But then when you look where they are putting their efforts, instead of trying to deal with HMO reform, trying to make sure that seniors do not get bumped out of their managed care health care, they are trying to get oil companies extra breaks in the royalties they owe the taxpayers of this country.

They came to this Congress saying they wanted to run it like a business. You tell me what business takes the family assets, the family owned oil reserves and says, let Exxon walk away with a little more of it. They spent time here, when they could not get any of the education product done, they got a $50 billion tax break for the tobacco companies, snuck it in a bill, lo and behold, when we found out even they were unable to keep it there so we repealed that tax break. They gave, again, a $50 billion tax break to tobacco companies.

On health care, they spent more time trying to make sure that unmarried couples in San Francisco could not get health care provided by their community than they did in trying to protect the health care of the rest of us. And if you go to education, the President seems to be able to figure things out in a way that works and a way the American people understand.

In the area of crime, the President said one of the things we need is more people on the street. That is how we all grew up. There was a cop on the corner. You got to know them. They knew what was going on. The President says, we want 100,000 cops. They say, that is terrible. They were against the 100,000 cops. It took them 3 years. The public was on board. Every first selectman and mayor was on board. The police chiefs knew it worked. The Republicans were still swinging around with guys who were against the crime bill. Then they figured that one out.

I do not know when they are going to figure out the education one. Let me tell you something, the United States is in a very competitive international market. It is in chaos now. We will now compete with countries that instead of paying 15 cents for every dollar an American makes, we will be competing with countries that make 2 and 3 and 4 cents for every dollar an American makes. Our workers have to be better trained and better educated. And if we do not invest in education, we are not going to have the kind of future that we want for all of our children.

We need to make sure that we are here working on things for the people.

The Speaker has a new club. He got in enough trouble with his last set of clubs. This new club is the Speaker's people call you up and they tell you you have just been appointed to a panel. You are on an advisory panel for the Speaker of the House. Then they want you to send in, $1000, $2000, $3000.

They talk about the President fundraising. What they do not tell anybody is they have a several hundred million dollar advantage in almost every account.

At the end of the day, the people know what this fight is about. They are trying to make sure we do not focus on health care, on education, and retirement security. They would rather have us talk about anything than the things that affect the people. Time enough to give big tobacco a tax break. Time enough to give oil companies some of their royalties that they should have paid us. Not enough time for average citizens. That is what is wrong with this Republican Congress.

Mr. DEFAZIO. Mr. Speaker, the gentleman forgot a couple highlights of things they did propose. They did propose elimination of the School to Work program for high school students. I suppose somehow in their world that is going to better prepare our students for employment after school and to compete in the world economy. Beyond me. I wish they would come down here and explain that. I thought it was a pretty good thing to have school to work opportunities for high school kids. In fact, my State has embarked statewide on a program to bring that about.

They have also eliminated in school interest subsidy for student loans. I borrowed a bunch of money to go to college. I thought it was a lot of money when I graduated. I owed about $12,000 when I got out. I am talking to kids now getting out with bachelor's degrees from higher education with $25- and $30,000.

Mr. MILLER of California. The gentleman raised the point of student loans. The President just signed the higher, reauthorization of the Higher Education Act. The tragedy of that bill is that the Republicans fought us for the last 2 years at every turn where we had the ability to make it less expensive for students who graduated from college to consolidate their loans, to save hundreds and hundreds of dollars in interest costs, to refinance those loans at lower rates. They fought that effort even when the administration tried to do it again this year, the Republicans came down on them like a ton of bricks.

Then when we tried to lower the cost of student loans, the Republicans fought us the whole way, finally agreed to lower the cost of student loans just a little bit so that they could say they lowered the cost. The fact of the matter is, this whole year, I serve on the Committee on Education and the Workforce, this whole year they have fought on behalf of the banks to retain the ability of the banks to suck money out of the student loan program, to take it out in fees, to take it out in higher interest rates. And what does that do? That just means for more students they have to work more hours or they cannot go to college or they have to defer it or take fewer units, costing their families more and more money.

So it is just incredible that they would spend 2 years, at a time when we had a chance to dramatically lower the cost of student loans, they fought us at every turn. They fought us at every effort we made either to consolidate loans or to reduce the interest rates on loans. They just fought for the banks. It is what they have spent their time doing in this session, as you pointed out. They have fought in this session for every special interest.

But they missed a really very simple agenda for the American public. Take care of our health care. Make sure our doctor can prescribe what we need, provide a minimum wage so that families can support themselves, get rid of the teen smoking and recover the money that tobacco companies have taken from this country because of cancer and tobacco. Give our children a chance to get a world class education in a safe school by reducing class sizes, by repairing the buildings, by having high standards for our teachers, high standards for our students and accountability for the school districts back to the parents.

I had a provision in one of the bills and they fought me on it. I said, parents ought to know the qualifications of the teachers that teach their students. Is this teacher qualified to teach your student history or mathematics or biology? They fought that effort.

This is not a complicated agenda that the President brought to this Congress, that the Democrats have brought to this Congress, but more importantly, that the American people have brought to this Congress. Because the gentleman from Oregon points out, most of their time has been spent here on these efforts on behalf of special interests trying to protect little nuances and tax breaks and special deals that allow them to go around the public interest. I appreciate the gentleman raising those points.

Mr. DEFAZIO. To go back to the student loans for a moment, because that is something that I am pretty exercised about, there was an absolutely Titanic struggle here on behalf of the banks to say, the bankers actually came in to me and I said, I always thought the theory of interest was that there was risk. With these student loans, the government guarantees that you get 100 percent back no matter what happens, plus your interest, no matter what happens. The student dies, goes bankrupt,

leaves the country, you will get it back. So why are the interest rates so high?

Their eyes got big and they looked at me and said, well, very profitable. Yes. Guess what? We can charge the students 8, 9 percent interest for loans that are guaranteed by the Federal Government. So after much pressure from our side and from the parents and the families and the kids, the Republicans had to lower the interest rate just a little bit for the kids, but they gave an additional subsidy to the banks. So the banks are still going to get a guaranty of 100 percent repayment. They are still getting obscenely high interest rates. Interest rates are falling through the floor and the banks are getting an increase in the interest rates and the kids are not getting the loans.

Direct student loans, take out the middlemen. What do we need the banks in the middle for? Why should we guarantee the loans and give them a subsidy and give them those high interest rates and take the money out of the kids' pockets? If we had direct student loans through the institutions, through the kids, like I got when I was in college, another 600,000 kids could get student loans of $4000 or $5000 this year, if we just took out the banks' profits.

They say, that is too complicated. They said we tried to do an experiment. It did not work. Ross Perot was running the program.

But it can work, and that can be a much better way of doing this. And you can give more kids a higher education.

I just want to make one other point before I have to leave. The gentleman touched on this. From what they have not done, by not reforming HMOs and the insurance industry, from what they have not done in terms of dealing with teenage smoking, from what they have not done in terms of raising the minimum wage or protecting the environment, they have gotten some very rich and powerful friends. And those rich and powerful friends are rewarding them handsomely. That is why they are in a hurry to get out of Washington, D.C. now, not because they want to do a good job or get the job done or leave with the job done. They want to get home and start spending the obscene amounts of campaign cash that they have piled up.

I would just ask the people that are watching television today, when they watch those ads come piling out in October and up in the first few days of November, when they see them four and five to one, as a Democrat, I would like them to think, where did all that money come from? Where did all that money come from? It came from the HMOs.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. HAYWORTH). The Chair would remind Members that it is improper to address the television audience. Members should address their comments to the Chair.

Mr. DEFAZIO. Mr. Speaker, I said the people watching. I did not say you, the people watching. I did not attempt to garner their attention directly.

In any case, the point is made.

Ms. DELAURO. Mr. Speaker, I thank the gentleman from Oregon, and I yield to the gentleman from Washington (Mr. MCDERMOTT).

Mr. MCDERMOTT. Mr. Speaker, I thank the gentlewoman from Connecticut, who is doing a real public service in coming out here and organizing this effort to talk about education.

As I listen to this education business about loans, I think about my own circumstance, my own family. My sister told me that she will be 54 years old when she gets through paying off her loans. These are loans that were for a PhD at the University of Chicago in the 1970s. She is going to be paying until another 6 or 7 years.

When interest rates have fallen, all of us who have a house, we go out and we refinance our loan. We drop our interest rate. I bought a house at 8 percent. I am now down at 6 percent. And I save myself all kinds of money.

A student cannot do that. You cannot refinance a student loan. If they really cared about children in the middle class, they would make it possible for you to refinance the loan. You can do it if you have a house. You go in and you get a home improvement loan and you use that home improvement money to pay off your college loan. Then you pay at 6 percent and you get tax deductibility. That is how they make people work around the law and put the students out there and let the banks squeeze them endlessly.

As I was sitting here thinking about this whole education thing, I was thinking about what is a democracy based on? A democracy is based on an educated electorate. If you do not have people who are educated and can understand and participate, you lose the democracy. And we have done some things here in this last couple weeks which are, if you think about them in that context, are very destructive.

We had a big debate out here about how many H–1B visas we are going to give. Now, most people do not what an H–1B visa is because our grandparents or our great grandparents came and they just kind of walked in here. But now if you come to the United States, you have to have some kind of a visa, and it either has to be a work visa or you are coming here because your family has been here and you are unifying the family or maybe there is so many could come in from each country.

□ 1700

But we have a special category. It is called an H–1B visa. This is a visa that we give to people who have a special skill somewhere in the world. We say, we need that skill in the United States, so we will give you one of those visas, come on in and work here. You can't stay, but we will use you, we can pay you as little as possible, give you no benefit, but if you are willing to come here, we will take you in on that basis.

Last year we passed the bill and we said we need 60,000 of those people in the United States next year. Lo and behold, industry in this country was so desperate for trained people that we had used those 60,000 visas by the 1st of July. So in come the Republicans and say, we need 150,000 more. We have to go out into Poland and Czechoslovakia and Germany and India and Cambodia and we have got to find these 150,000 people and let them come in here.

If you think about that, what that says is we are not training enough people in this country to fill the jobs that are available. These are not $5 an hour jobs flipping hamburgers in some fast food joint. These are in my district at Microsoft where we pay 30, 40, 50, $60,000 to these people, and they cannot find an American who qualifies for that job, so they have to go to India, or the Ukraine, or Uganda or somewhere and find them.

So when the President says that the focus of this country and this Congress ought to be developing an educational system that prepares our kids for the jobs of the 21st century, he is talking about making Americans available for those H–1B visas. The problem in politics is that a lot of times we always think in 2-year terms or maybe 4. We do not think about the fact that we are really sewing the seeds for 20 years from now if we don't educate our kids, if in those first 3 years we do not learn to read. Then they are not going to know how to read a computer, ma'am, when they get an opportunity to work as a computer operator, or as a programmer.

If they do not learn basic math—my daughter teaches in the Seattle schools. She teaches sophomore remedial math. She said to me, dad, you can't believe how many kids don't know how to use a ruler. She has to take them out in the parking lot and say, all right, now here is what a ruler is about. How big a parking space, so they measure out the parking space. Then she says to them, why is that parking space this size. The kids finally say oh, so the car will fit in. So they measure the car. Lo and behold, a parking space is a little bit larger than an automobile, a standard automobile.

Now when you are taking 15 and 16-year-old kids who come through our system and they do not have the capacity to make the logical connections between a ruler and a parking space, you have got serious difficulties in our educational system. So when the President says we need 100,000 new teachers to get those kids in the first 3 years where they learn to add and subtract and do fractions and they learn to read and write. That is what that is all about. It is not about somehow the Federal Government taking over education. It is supplementing those school districts in this country, and Seattle has not got a bad school system. But we still have kids who are not making it, who are

not getting it, because the schools are too big or too whatever, and we need to add this kind of thing.

Now, the other thing is this whole business about school buildings. My daughter is in a school building that was built before the Second World War. When they try and wire for computers, God help you. You have to have Rube Goldberg come in to put together the wiring to work inside a building that was built 50 years ago. That is not the oldest building in Seattle. There are a lot of buildings, and all over this country, and we say to our kids, well, we want to get you ready for a job. But we do not give them the opportunity to deal with the very things that they are going to have to do when they go out into the world. To me, it is a tragedy.

There was an editorial in this morning's newspaper which I think is the one that just stops me sort of sometimes. When we look at what we have spent our time and energy in here, Bob Herbert in the New York Times said, having been handed the gift of Monica Lewinsky, the Republicans are running with her. She conceals their real agenda. If they can parlay the Monica madness into substantial increased majorities in the House and Senate, they can renew their conservative assault on government and on their subversion of the interests of ordinary working people and the poor.

You cannot say it any clearer. If the poor, if the lower classes in our country, in the middle class in our country, if we do not come up with ways to give them an education, this democracy will lead to fascism. You will have to have the government with a soldier on every corner like they do in half the countries of the world. The reason we have a democracy is because people are educated. If we do not educate them, we will have turmoil in this country that we are not prepared for. That is why what the President is saying is that this is a long-term plan in the best interests of all Americans.

I congratulate the two of you for putting this together.

Ms. WOOLSEY. I would like to have a little dialogue with the gentleman about workers and H1–B visas, because something else that is totally missing is some incentive, an encouragement for businesses to retrain their current workforce. Technology is growing so fast and beyond the workforce. Employers are hesitating or refusing to train their existing workers. That must be something we do. That is why we need H–1B visas. One, we do not teach our young people, and, two, we do not retrain our existing workforce.

Mr. MCDERMOTT. Some of us are really worried that the H–1B visa is a way around taking your existing workforce and raising them up to the level that you need them, rather, go get somebody somewhere else who you can hire for $10,000, $20,000 less, do not have to pay for a pension, do not have to pay for health care or anything else and put them in the job rather than taking an existing worker. There is a lot of concern among many people who look at the workforce and say that the issue of retraining is one of the most fundamental issues to labor peace in this country. You cannot go and get somebody from somewhere else and stick them in a job when there is somebody standing there that could be trained to do that.

Ms. WOOLSEY. That is right. The other connect there is that person is being laid off because they are not trained, quite often is a very senior worker, needing Social Security. And what are we saying? We are raising the age of Social Security. That is the threat. In order to save it, privatize it, raise the age, give less. But certainly do not train workers so they can stay on the job. They need that Social Security at the time they will be laid off and it will not be available to them.

Ms. DELAURO. Let me just make a comment before I recognize the gentlewoman from California. The theme that both of our colleagues were talking about, education in this country has been the great equalizer. I think it is true to talk about the fundamental part of our democracy. What I mean by education being the great equalizer is that youngsters have the opportunity to succeed despite their gender, their religion, their socioeconomic status, political party affiliation. It says that your God-given talent is what is in fact that which allows for your success in our society. That has truly been the premise of public education.

I will just take myself for example. I am the daughter of a garment worker. My mom worked in the sweatshops. My dad sold insurance. They killed themselves literally to make sure that I had a good education, so that in fact that I could have opportunities that they never had. That is the same with probably the majority of people who serve in this body.

Ms. WOOLSEY. If you will yield, I will tell you my story.

Ms. DELAURO. Which is so frightening in terms of what is at stake when we are talking about public education and what this institution and the majority party in this institution has refused to recognize.

Just one more point. I got the finest education in the same way that any corporate executive or any scientist or any academic could get and was allowed to be able to have the honor and the privilege of serving in this body. So it is a precious, precious gift, if you will, that we need to preserve this ability. It is values. It is what we prize and what we value in our society is this ability for education.

Ms. WOOLSEY. If the gentlewoman will yield on this thought, then later I have more words. Thirty years ago my children and I were abandoned by their father. My children were 1, 3 and 5 years old. I went to work immediately. I had good job skills fortunately. I was a very healthy young woman. My children were healthy. We were really fortunate. But the most fortunate part of that horrible situation was that I had a good education. I had 2 years of college. I quit college so that I could help my children's father finish school. But I had enough education to get job opportunities and make those job opportunities work for my family and myself while I continued to finish my college education. Without that education, I do not know where we would be today, because it made all the difference in the world in my self-esteem, and in my ability to go forward.

Mr. PALLONE. If the gentlewoman will yield, I am going to join in by pointing out my background as well. My father, who probably is listening because today is Columbus Day and he told me he might listen to us.

Ms. DELAURO. We were supposed to be marching in parades today, in the heart of the Italian-American community.

Mr. PALLONE. In New Jersey. That is right. My father was a policeman for about 25, 30 years and is retired now from the police force. The same is true. We grew up, we never had to worry about anything, but we were middle class, went to public school and basically the quality of the education in the public school was, I think, as good as it gets. That is all we are saying. But if I have to go back to that same school or other schools in my district today, you will find that many of them do not have the money to keep up with the plant, as I would say.

When we talk about this money that we are looking to see for modernization of the schools, which really is sort of the main object, if you will, of what we are asking the Republicans to do before we get out of here, is that we would like to get this modernization fund available for the local communities. It is not so much that a lot of communities need additional schools or need to build additions to their schools, which is true. A lot of them are overcrowded now and they need new schools and this money that we are asking for that be appropriated could be used for that purpose. But I find that many of the school districts just cannot afford to keep up with technology anymore. In other words, they need to be rewired for computers, they need to have things done so that they can keep up with the high tech age, so to speak. It is very different today than it might have been 20, 30 years ago, or even 10 years ago, where the local community of course never had an easy time raising the funds to build the school or renovate the school but they did not have all the problems that are associated now with all the changes that occur in technology every day. I have found that when I go back and I talk to some of the school districts, they are just looking for some additional help just to make the changeover, if you will, to the high technology age. Now, of course there are others that have crumbling roofs. I have some in my own district that are

in pretty bad shape where I have been in the auditoriums and I have seen the water leak through. So there are some that are very decrepit. But you will not find a single school district in this country now, I do not think, that does not need some kind of assistance because of all the demands that exist now on the physical plant of the school building.

Again, I know I hear my Republican colleagues say, well, you know, schools should be local, everything should be done locally. We are not arguing that the curriculum should not be decided by the local school board, that the local school board should not decide who to hire or what to do on a daily basis. We are just talking about the money that they need, because local property taxes are so high, it is very difficult for them to get along. So all we are saying is give us a little down payment here. Do not rush out of this place immediately without having done your job. Address the education needs, address the need to modernize the schools. If they would just do that, I will be honest with you, all the other things that I would like to see done here, but if they would just do that, I would be happy.

Ms. WOOLSEY. The gentleman is right on target. If the school needs upgrading and wiring, that is what they need.

□ 1715

If a school needs roofs, paint, that is what they need, and, if we do not invest in those children, in their schools, what are we saying to them? We are telling those children you do not matter. We want you to get an education, but we do not want it to be the best it could be. And we are not saying, take our Federal tax dollars and wire that plug or that particular room; we are just saying, use those tax dollars to benefit our children because we know they all need a good education. And public education makes that possible, and we want to invest in them.

Ms. DELAURO. Well, interestingly enough, you know, to further talk about this a bit, is that 90 percent of our youngsters are in public schools.

Now, we do have problems with the public school system. No one is suggesting that we cannot make improvements, which is what precisely we are talking about, and in terms of the modernizing, again the piece that is, it is not just about the bricks and the mortar. It is in fact about providing that opportunity for youngsters to be able to have a learning environment which is a secure one and at the same time have a learning environment which, in fact, plugs them into an Internet to utilize advanced technology.

I did a survey, a modernization survey, in my district. I visited the Orange Avenue School for a tour. We had a round table discussion with superintendents about school modernization needs. There were 71 schools who responded, and this is what I found in my own district.

The average age of the elementary school buildings is 50 years old. More than half of the elementary schools regularly hold classes in areas not designed to be classrooms, including cafeterias, hallways, mobile or temporary rooms and storage areas, literally closets being turned into classrooms. The average class size was still 23 students, even with the makeshift facilities, which is why we have been talking about reducing classroom size to 18 in the grades from 1 to 3.

All of the schools that responded said that they had some computers for students to use. More than 50 percent of the schools have no computer lab or a room where there are computers. The majority of the schools have no computers designated for teachers' use, nor is there programing to teach teachers as to how to teach our kids to use computers, and many schools do not have computers in every classroom. I would venture to say that today computers are becoming like textbooks; where you have a text book for every child, you have to have computers for every child.

Let me just make one more point about modernization because our colleagues on the other side of the aisle will say the Federal Government wants to get involved in construction of schools. Not true. Very simply what we are talking about here is that what the President's initiative, what the Democratic initiative is, and what we like to have accomplished before we leave here, it is to help with Federal tax credits to pay interest on $22 billion in bonds to build or to modernize public schools. That helps the local community float the bonds that they need to construct the school. We do not want to be building schools and have the Federal Government pay for the building of these schools, but we want to try to provide that local government with the opportunity of getting some relief on their taxes with regard to the bonds.

What does that do for the local community? You know what it does for the local community? It lowers their tax obligation. That is what we are talking about. And it is very simple, it can be done, and we truly do have the obligation to make sure that we do this. That is what we are calling for: Do this before we get out of Washington, D.C.

Ms. WOOLSEY. You know in California, our very conservative Republican Governor put into place the decrease in class sizes for grades K through 3. Well, guess what we found out? We did not have enough certified teachers, we did not have classrooms, and good that the idea was, yes, reduce the class size. We did not have the infrastructure or the trained teachers to support even what this very conservative Republican Governor wanted.

Ms. DELAURO. I yield to the gentleman from New Jersey.

Mr. PALLONE. As I said, I think that the school modernization is probably the most important aspect of this education agenda that we have been trying to push, but I also think that this proposal, which originally came from President Clinton to hire a hundred thousand additional teachers, is equally important. And again it is modeled in many ways on the COPS grant program where the President has basically instituted a program, and we approved it in Congress, to hire a hundred thousand additional policemen. Let me say that that COPS grant program, because I heard some of my colleagues on the other side of the aisle criticize it earlier, and I was shocked to hear some of the Republicans criticize that program because I know how effective it has been in my district. We have had, almost every community has been able to hire additional police because of that COPS grant, and it is a community program. In other words, the policemen have to be put on the beat in the community, in many cases tied into recreation and other programs that they work on during the evening or during off hours. It has been terribly successful. I have had so many people in my hometown, in Long Branch, where I was supposed to be at the Columbus Day parade today, tell me how it has made a difference in terms of the crime rate has gone down significantly as a result of this.

Now we are saying we want to model that in the same way. We want to give those towns money so that they can hire additional teachers and bring class size down. I think it is either 1 to 3 or K to 3 in the lower grades.

Now we know that anybody who has been involved in education, I know both of my colleagues who are here with me today have been, have talked about this in the past, know in the last few years all kinds of research has come out to point out that early childhood development is so crucial, even down to like 6 months or a few months, zero. And so what we are saying is that we want to make sure at that early level, and I mean it is not even that early because we are talking kindergarten or first grade, but whatever, that when these kids start in the public schools that they have those small class sizes.

And again, you know, you could talk to people who say, well, I went to a one-room schoolhouse and there were 30 kids in the class. Well, again, things are different today. In many ways I wish that they were like they used to be, but they are not. A lot of these kids come to school already with some major problems, and they cannot have a class that has 30 kids in it because they are not going to learn anything. So, if you combine the fact that we are trying to reach these kids at a young age, that we have a lot of problems that need to be addressed today at that young age, you have to bring classes down. I think this would actually bring it down to 18 or so, the average in the classroom and the country. And I cannot stress how important that is, and do not let anybody on the other side tell you that the COPS grant program

was a failure. If we can build on that, we will have another very successful program, and, I will say, for not a lot of money.

Ms. DELAURO. I would just say that, you know, when we talk about reduced class size, again like modernization is not bricks and mortar, lower class size says the following: I am a teacher, I can give more individual attention to each of the youngsters I have in a classroom. Better learning, better standards, more accountability. And you know what else? More discipline in the classroom. Parents today want to make sure that their youngsters are in schools that are safe, in a learning environment with a teacher who has time to devote attention to them.

And you are absolutely right about we have a very successful model on which to base this program, and it is one that universally school officials and administrators and parents and teachers are clamoring for.

I think it is important to note, because we are going to be out of time in a few minutes here, that our colleagues will talk about their accomplishments in education, but I do not think that we ought to be fooled by their commentary.

Child literacy program, America Reads, zero funding. Summer jobs, zero funding. Out of school youth, zero funding. School modernization, zero funding. Class size reduction, zero. New teachers, zero. Shortchanging Head Start programs, Goals 2000. When they talk about taking the money, Dollars to the Classroom, that eliminates Goals 2000, the Eisenhower training program that trains our teachers, several other critical programs that provide for basic skills for our young people.

We have an obligation. We serve here because the people who we represent trust us, and they trust us with their children.

Let us take the remaining days of this session and do something to improve public education in this country. We can do it. There is support for doing it. We need to do it. That is what we should be about.

I yield to either of my colleagues for any final comments.

Ms. WOOLSEY. Well, I have a comment. When our colleague, Mr. PALLONE, talked about small one-room school houses, those schools were homogeneous. Everybody in that class looked the same, came from the same kind of background and environment. Now we are talking about classrooms with as many as 17 different languages in one classroom. Tell me that these young children do not need one-on-one attention from their instructor.

Mr. PALLONE. If the gentlewoman will yield, I would just say that again, one of the things that really has been bothering me about this Republican Congress is that, you know, they will pay lip service to education, but they wasted so much time trying to take money away from public education by instituting voucher programs that basically take public dollars and give it to private schools, and we had to go on for weeks and months fighting those proposals. If they had just not wasted that time, we would not be in the situation we are in today.

You know some of our colleagues have said, well, you know, it is time to go home, we got to get out of here quickly. They wasted so much time trying to attack the public school system. We heard talk again about abolishing the Department of Education. You know, again, how can we have any kind of standards or have any kind of supervision of what goes on out there if we do not have a Department of Education?

So, you know, I honestly believe that in many ways what the Republican leadership has been trying to do here is to basically break down or even destroy in some ways public education. I mean, if they are going to spend all their time and say we are going to take these dollars from public education and give it to private schools, we are never going to get to the initiatives that we are talking about.

That is why I get very annoyed when I hear them say, well, we care about education because we know that their whole history for the last 2 years and even for the 4 years that they have been in the majority is to try to break down the system and not allow dollars to go to public education.

Ms. DELAURO. The one thing they want to do is to return education to the limited few and the rich instead of using education as that great equalizer that allowed us our success to be able to come here.

MOST OF OUR PROBLEMS CAME FROM WHEN THE DEMOCRATS CONTROLLED THE CONGRESS

The SPEAKER pro tempore (Mr. HAYWORTH). Under the Speaker's announced policy of January 7, 1997, the gentleman from Texas (Mr. DELay) is recognized for 60 minutes as the designee of the majority leader.

Mr. DELAY. Mr. Speaker, I commend the gentleman from Arizona, sitting in the chair, for his endurance on a Sunday afternoon in listening to what has just gone on.

I listened to the discussion all this day, and I find it rather fascinating. The shrillness of my colleagues on the other side of the aisle I think reflects their sense of denial. Most of what they have said is that they are trying to continue the policies so that they can continue to support their philosophy of government that has failed. We have tried their way for well over 50 years, and most of the problems that they describe, the problems with our public school system, with our government, with health care, most of that came from when they controlled this Congress.

□ 1730

They have controlled most of the local governments, the state governments, this Congress, for the last 30 to 40 years, and the result are the problems that they have described.

The problem is that their solutions are more of the same, more money, more big government. ''We know better.'' You heard just 15 minutes ago, the gentleman from New Jersey, talking about the fact that ''I know what my local school boards need more than they do.'' Well, he ought to run for the school board, because that is where the decisions ought to be made, not here on this floor and not by the President of the United States.

For my colleagues and others, let me try to kind of put in perspective where we are today. I find it fascinating that the President of the United States showed up for the first time to talk to his budget people the day before the targeted date of adjournment, last Thursday. That is the first time that I have heard or read about that the President has met with his budget people about the spending and appropriations bills that we are trying to pass. That is the first time I have heard that this President has been engaged this year on anything that is going on in the Congress of the United States.

The day of adjournment, on Friday, the President announces that he is not going to accept the work of this House or the Senate unless he gets his education package. That is the first time since his State of the Union message that I have heard that he has been engaged in the process.

This President has been totally disengaged this whole year. In fact, I can contend that this year is nothing more than a reflection of what we have been going through for the last four years. This President's normal method of operation is he does not get engaged at all until the end, and then he comes in and demands more spending and bigger government and more programs. And, because he is President, he could shut down the government like he did in 1995. We have to deal with this President to get him to sign the legislation. Yet during the whole process, he is not engaged.

The American people need to really understand what is going on here. The President himself today in a meeting with Democrat leadership, I find it very strange, he has not this entire year, in fact I think if we go back two years, has not called on the Republicans, the majority leadership, to meet with him at all. But today he meets with the Democrat leadership, and he announces that he has been engaged in this educational program all along. All he could cite was he talked about it in his State of the Union message and he sent it up in his budget.

I defy anyone to bring to me one bill written that was initiated by this President this year. One bill. Just show me the bill. Show me the bill. This President has not initiated one thing.

Now, he has taken credit for the economy, but I also challenge you to show me one thing he has initiated in

this Congress and followed through on and got passed that was good for the economy. I deny anyone. The only thing I could think of was that he wanted Fast Track authority, negotiating authority for Fast Track. A little less than a year ago we tried to pass that. He could only deliver 32 of his Democrats to vote for fast track. I found out, because I am the Whip and working the votes, that many Democrats that wanted to vote for fast track did not trust this President, so they voted against it.

But this year he has not lifted a finger for education, not a finger for education, yet on the targeted adjournment date, Friday, he stands up and says, ''I want my education bill,'' and he makes veiled inferences that he will shut down the government unless he gets what he wants.

This is the same President that has not even met with his cabinet but twice this year. He has only met with his cabinet twice in this whole year. The first time he met with them was to explain to them that he had no sexual relations, and the second time he met with them was to apologize to them for having sexual relations. That is the only time he has met with his cabinet. Now, during these meetings he did not meet on the world economic problems with Secretary Rubin. In the cabinet meeting he did not talk with the Secretary of Education.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. HAYWORTH). The Chair would remind the gentleman that he should not refer to personal charges against the President.

Mr. DELAY. I apologize, Mr. Speaker.

In cabinet meetings also he did not discuss his foreign policy, his failed foreign policy with Secretary of State Madeleine Albright. He has only met with his cabinet twice this year.

Now, he has been out on the campaign trail. He has been to 97 fund-raisers this year. He has been away from his office attending to other things rather than work 152 days out of the 280 days so far in this year. This President is not engaged in what is going on.

I want to talk a little bit about what he is holding us up about.

Mr. Speaker, I will talk about that in a minute. I am also going to try to put this in a little more perspective. Being in leadership, we have had to deal with this administration at the end of every year on these same things that we have always done, and it is just fascinating to watch.

I remember in 1995 when the President of the United States vetoed the continuing resolution and shut down the government. The government shut down for a few days. I will never forget, I think it was November 19, anyway, it was a Sunday night, an agreement was made with this President to reopen the government, and the agreement was that he would work with us to balance the budget, to save Medicare from bankruptcy and some other issues.

Within 15 minutes after opening the government, the President and his staff walked out, held a press conference, and reneged, reneged, on everything in that agreement.

Now, we have had to deal with that for the last 4 years. In fact, just this weekend they sent staff over here to make an agreement on drug policy, and there has been a lot of work by the chief deputy whip, Dennis Hastert, and others in this House, to put together a very comprehensive antidrug policy, but the administration or the staff of the administration has fought us every step of the way.

So they have been negotiating over last week, and finally came to some sort of an agreement. Of course, the President sent staff to make the agreement. And then after they had an agreement, the staff went back to the White House, we were informed that the staff that was negotiating with the majority leadership could not negotiate for the White House, and, therefore, reneged on the agreement.

Well, how in the world are we going to do business when you have a President of the United States that you cannot trust his word to hold an agreement for longer than an hour? That is what we are going through right now.

The other thing too, some of the sticky points with this administration is this President is fighting to the death for foreign aid to North Korea. That gives me an opportunity to talk about this administration's foreign policy.

It is amazing to me that some people in this House commend the President for being such a great and effective President, but when you analyze his foreign policy, it is a complete disaster.

He wants more foreign aid for North Korea. Now, this is the President that was concerned, as we all were, with North Korea building nuclear weapons and threatening that part of the world. So he went and made an agreement with North Korea to stop doing that, and if they would do that, then what we would do would be we would give them more foreign aid and we would build them electric power plants.

Well, we have been giving them foreign aid. We find out that most of that foreign aid has gone to the military, not to the people of North Korea, and we are building their reactors for electricity, but the North Koreans are continuing with their building of nuclear weapons, and just this last summer shot a missile over the top of Japan.

You look at the President's policies in Iraq. Now, the President of the United States sent aircraft carriers in January and February to stand up to Saddam Hussein. He told the American people he was going to be tough on Saddam Hussein. Yet this summer we find out that he has surrendered to Saddam Hussein.

The President of the United States moved his trip from November to June to China, from November to June, and he goes to China and kow-tows with the communist leaders of China. He is accepted in Tiananmen Square where freedom fighters were gunned down, and he honored the troops that gunned down the freedom fighters in Tiananmen Square. And as he was leaving China, by the way, the trip costs about $50 million, while he was leaving China, he undermined the democracy on Taiwan and has never since then stood up and tried to support the democracy on Taiwan.

In the Middle East, they now are having photo ops with Arafat and Netanyahu in the last few days and weeks, and they are about to have a summit on Israel. Well, he has not lifted a finger to enforce the Oslo Accords and make Arafat comply with the agreements. That is where the problem is.

Now, all of a sudden, we find out we are going to pull everybody together, have a few more photo ops, but undermine what the people of Israel are trying to do. In fact, the President's own wife back in May said it might be a pretty good idea to have a Palestinian state in Israel, which would completely explode that part of the world. Yet the President of the United States has not emphatically stood up and said no, we will continue with our policy of opposing a unilateral move to create a Palestinian state in Israel.

I could go on and on. Russia was a complete fiasco. Nothing came out of Russia. This President, who wants to be treated different than any other American in this country and undermine the rule of law, went to Russia and demanded that they institute the rule of law. He was laughed at by the world because of that.

So part of the hangup and the reason we are here on Sunday afternoon negotiating with staff, not with the President, negotiating with staff, is that the President is holding us up. He could have come to us weeks ago and told us exactly what he needed and we could have been negotiating and probably would have met our targeted adjournment date.

Another hangup is he wants us, us being the American people, to take our hard-earned taxpayer money and give it to the International Monetary Fund, a failed agency, an agency that has undermined the economies of Russia and Indonesia, now is trying to undermine the economies of Brazil, a failed agency, they want to continue their failed programs by funding the IMF, and they do not want any reforms. They want the American people to give up their hard-earned taxpayer money and give it to the International Monetary Fund with no reforms so they can make secret loans at below market rates to failing economies of countries that ought to be moving towards a free market system, and what they want to do is prop up the kinds of political systems that have failed, and that is part of the problem of the economy in the world.

The other thing too that really grates on me a little bit, when we are trying to get our work done, you have the President sending out his attack dogs. Again, you know, we saw these attack dogs for eight months out defending this President, trying to destroy their enemies and misleading the American people for eight months. Now they are back out. I saw one on CNN late edition this morning, Paul Begala. And the misleading statements that Mr. Begala made were unbelievable. He said that we did not need a vote of inquiry in this House. He obviously does not know how the House operates. In order to proceed with impeachment proceedings you absolutely have to have a vote of inquiry to give the committee the right to proceed.

He said that Ken Starr was undermining the process by sending a letter right before we voted on the inquiry inferring that there would be more referrals coming from Ken Starr and just berated Ken Starr and tried to once again destroy the Independent Counsel because of this letter.

That letter was in answer to a bipartisan request coming from HENRY HYDE, the chairman of the Committee on the Judiciary, and the ranking member JOHN CONYERS, asking Ken Starr if there might be some referrals.

□ 1745

Maybe this is a good time to talk about the 100,000 police officers that the gentleman from New Jersey was saying was such a successful program, because Paul Begala said that they had hired 100,000 police officers.

Mr. Speaker, that is not true. It has been about 4 or 5 years now that the program, another failed program passed by the Democrat Congress, was signed by the Democrat president, creating 100,000 police officers. The person, Ken Avery, we checked with, who is spokesman for the COPS program in the Justice Department, says that the vast majority of our jurisdictions have plans in place to retain officers beyond the lines of their grant.

This is a requirement of the grant program, that they agree, upon acceptance of the grant, and what that means is if they accept this money, it is only money for 3 years. Then the money is shut off and they have to keep that police officer on the payroll. In other words, they need to raise taxes locally, and that is the Federal Government causing local governments to raise taxes for a Federal program.

Avery himself says that the COPS program has only placed around 58,000. In 4 years, they have placed 58,000 cops, of this great 100,000 cop program on the streets of more than 10,000 cities and towns.

It is absolutely amazing to me that Members can stand here in this well and praise a program that not only has failed, because they do not, most of the police or law enforcement agencies around the country do not want the Federal Government, with their big sticky hands, in their business, and they think it is a poorly-designed program in the first place, and they do not want any part of it. Now the President is holding up the entire process of this Congress in order to put 100,000 teachers in.

Do Members really believe a program designed by this president would actually put 100,000 teachers in the classroom? They could not, over 4 years, put 100,000 cops on the street. This whole notion of these little things in this education proposal by the President, that these will change the educational system and save our schools.

It was brought up by my good friend, the gentleman from Texas (Mr. SANDLIN) much earlier in the day, he was talking about the outlandish problems that he is seeing in East Texas about the school system. I need to remind the gentleman that part of the problem with the public schools in my great State of Texas is because the Democrats ruined them. I was there in 1984, and I will never forget it, I was in the State legislature, in the Texas House, when the Democrat Governor, Mark White, petitioned Ross Perot to design education reform in Texas.

Take what I am about to say and extrapolate it to the Federal Government. Before Mark White and Ross Perot ruined education in Texas, Texas's local school districts controlled the education of their children. Texas, thank goodness, had set up funding for local schools way back when Texas was a Republic, and continued it when it became a State, so we had good, honest funds coming to our local school districts. But the school districts were in control of their local schools.

What did the Democrat, Mark White, do? He took away local control and centralized it in Austin, Texas. He created the Texas Education Board. All decisions are made in Austin, Texas, for all the local school boards. The local school boards now are nothing more than administrators for State mandates.

I submit that my friends on the other side of the aisle and the President of United States want to do the same thing. They constantly are trying to take away local control. They are trying to take away decisions made by parents, elected school boards, and teachers, and put them right here in Washington. They do it systematically, one little program after another over the years.

I say to my good friend, the gentleman from Texas, they not only took away local control and put it in Austin, Texas, but in order so that they could not get to that board, they laid in another layer of bureaucracy called the Regional Educational Centers, so that local control, the local school districts had to go through one layer of bureaucracy before they could ever get to the State Board of Education.

I just think that we have a very sad situation going on outside this Chamber. I think what the basic problem here is that we have two very different philosophies of government.

I think the best example of their philosophy is in the school system right here in Washington, D.C. They have piled money on the school system of Washington, D.C. so high that it has collapsed under the weight. The school system here is bankrupt in ideas, bankrupt in substance. The children here, a little over 50 percent of them do not even finish high school. The teenage pregnancy rate is at an all-time high.

If we talk about not being able to fix buildings, they have more money than any other school district in America, and they have crumbling schools in Washington, in our national capital. Why? Because the bureaucrats have the money, that is why. The teachers do not have the money. The students do not have the money. The bureaucrats have the money. They believe it is the government's money. I believe it is the American family's money.

They have created a government so big that over 50 percent of the income of American families goes to government. If we add up State, local, and Federal taxes and the cost of regulations, 50 cents out of every hard-earned dollar that the American family makes today goes to the government.

Would it not be incredible if we could do what we want to do and get a president to sign our bills to shrink the size of government, eliminate wasteful Washington programs, eliminate some wasteful Washington bureaucrats; not create more, eliminate them, so that the American family could have more money in their pocket, so that if they want better schools to be built, they will have the money to pay the taxes in their local school districts, empowered by them, to raise the taxes to pay for the schools that they need?

No, we are going to keep the government growing bigger and bigger. We are going to keep it growing, and get more and more bureaucrats. We are going to get more and more of the Federal Government sticking their sticky fingers into our school districts, because that is what the President of the United States demands. But it is not their money.

It boggles my mind all the time. It is the same pocket that all the money comes from, the American family's pocket. That is where this money comes from. But why would we take the money out of the families in Sugarland, Texas, send it up to Bill Clinton, so that he can send it back to Sugarland, Texas, to hire more teachers and build more schools? It does not make sense. And it fails, because it is a failed philosophy. It is a failed notion.

We are trying to, to the best of our ability, trying to stop this president and we cannot, because he is president. If we are going to do the people's business, we have to negotiate with this president.

I hope he stays home tomorrow. He is going on another one of those fundraising trips. I challenge the President to stay here and work on these issues. He is going down to Palm Beach, Florida, to have another fundraiser and pina colada with Greg Norman. Then after that he is going to New York City, and he is going to raise some more money in New York City for a person, by the way, the gentleman from New York (Mr. CHARLES SCHUMER) who happens to be on the Committee on the Judiciary.

Mr. Speaker, I hope the President stays here. We are going to stay here. Many of my colleagues have said we are trying to get out of town and we are trying to rush this, and we want the President to give us what we want so we can get out of town and go home and campaign.

Nothing could be farther from the truth. We know what we are about. We know what we are locked into. We will stay here all the way through the election. I will say it again, we will stay here gladly all the way through the election to get the people's business done.

It is amazing to me that people are complaining about a Congress that is not getting its work done, that we are the do-nothing Congress. They are partially right, we are the do-nothing-that-the-liberals-like Congress. We are in the majority, and we do not buy into the minority's philosophy. All their bills that they want us to pass, we are not going to pass them, because we do not believe in their philosophy.

The majority of this House does not believe in paying trial lawyers for health care. That is their Patient Bill of Rights. The President has not written a patient's bill of rights. We have not seen a bill from the President, but that is their Patient Bill of Rights. We have not seen a bill from the President on his education policies, but they say they have one.

Mr. Speaker, what we are here to do is what the American people have sent us to do. I get a little weary of people speaking for the American people. The American people believe this, the American people believe that, the American people whispered in my ear this afternoon and told me this.

I watch the American people, and the American people have rejected their philosophy. It is not by some poll, it is not by someone whispering in my ear, it is by election. The American people have rejected their philosophy all across this country.

The Republican Party has gained over 500 State legislative seats since Bill Clinton has been president. It has gained 14 governorships. We now have 75 percent of the American people living under a Republican Governor. We have taken the United States Senate, we have taken the United States House for the first time in 40 years, and held onto it for the first time, back-to-back Republican Houses, in 68 years. We have even had over 370 Democrats switch to the Republican Party all across this Nation. That is the real American people speaking.

Mr. Speaker, Members can say whatever they want to on this floor about who is at fault, back and forth, but we have tried it their way. We have tried it Bill Clinton's way.

Let me just finish with this. It is amazing to me that the President of the United States would hold up spending that amounts to about $1.7 trillion over his little, small education program. The American people ought to think about that just a minute, because we know what this is about.

This is another sham. This is another attempt to mislead the American people. This is another rhetorical outtake to try to win the election in November and take back the House, or give the President some sort of credibility and legitimacy. The American people have not bought it in the last 2 elections, and they are not going to buy it in this election.

Mr. HAYWORTH. Mr. Speaker, will the gentleman yield?

Mr. DELAY. I yield to the gentleman from Arizona.

Mr. HAYWORTH. Mr. Speaker, I thank my colleague, the distinguished majority whip, for yielding to me. Mr. Speaker, as I have had the honor and privilege of serving in this House, I am struck by what our colleague, the gentleman from Texas, tells us tonight, because we have seen example after example, sadly, of this President and this administration saying one thing and then doing another.

In fact, I think about the historic budget agreement that was reached last year by this allegedly do-nothing Congress to balance the budget for the first time in a generation, to set up budget caps, ceilings that were to remain inviolate.

Now, as my colleague, the gentleman from Texas, points out, in the last nanosecond of the 11th hour, perhaps based on focus groups and extensive polling, suddenly, education becomes the watchword; sadly, not in an effort to improve education, which we believe is too important to be left up to Washington bureaucrats, but because of the endless posturing and preening and electioneering that continues, regardless of the dates on the calendar, but now has grown more frenetic and frantic, given the constitutional questions that confront us, and also our constitutional heritage of an election that approaches the first Tuesday following the first Monday in November. It is very insightful.

Mr. DELAY. I would just remind the gentleman it did not take the President 6 months to break this agreement. In his budget, and the only thing he has actually submitted to Congress was his budget, in his budget he broke the caps, he expanded government, he raised taxes, and created an incredible tax increase.

What is worse, as the President, who is claiming to be the education president, in his own budget he cut the IDEA program. That is the program that has been discussed earlier, the mandate from the Federal Government on local schools to provide education for our disabled students through special education programs.

□ 1800

Yet they promised they would provide 40 percent of that expense for IDEA. In the President's own budget, he cut IDEA.

Mr. HAYWORTH. Mr. Speaker, if the gentleman will yield, indeed, as I stand here from this unique vantage point in the House, I note that just behind the gentleman is a rostrum. On an annual basis, we invite the President of the United States here to offer a State of the Union message.

I remember this year the President's insistence when he said, about moving from the politics of deficit to the policies of surplus, not one penny out of the surplus unless it goes to save Social Security. Save Social Security first.

Yet, almost within the twinkling of an eye, there was the administration petitioning the Congress for close to $3 billion for spending in Bosnia. How profound. How prophetic the words of the columnist from the Arkansas Democrat Gazette, Paul Greenberg, who instructed all of us years ago, Mr. Speaker, in the case of President Clinton, listen not so much to what he says, instead, watch what he does.

And it has been trying, challenging, and ultimately tragic that we are beset by a chief executive who so often, in so many different circumstances, says one thing and then does another.

Mr. DELAY. Mr. Speaker, I want to follow up on that just a moment, saying one thing and doing another. The President evidently wants to become the education President in the last week of the 105th Congress.

He said on the day that was designated as the targeted adjournment day, the day that he started this effort, on the day that we had targeted to adjourn, ''Members of Congress should not go home until they pass a budget that will strengthen our public schools for the 21st century.''

The President, what he does, his record is, he has vetoed a D.C. scholarship bill to provide 2,000 of this capital's poorest children a chance to escape one of the worst school districts in this Nation. I described this school district earlier.

He vetoed the education savings accounts this year to provide middle income families with tax relief for elementary and secondary education expenses. He vetoed a back to basics common sense literacy program. He vetoed lowering costs for school construction bonds. He vetoed incentives for teacher testing and merit pay.

He vetoed safe schools, a safe school antigun provision. He vetoed a tax relief for employer provided education assistance and qualified State tuition

programs. He vetoed seven pro-education bills.

He was so sinister in paying homage to the National Education Association that he would take away 2,000 scholarships from the poorest of the poor in the Nation's capital and give those scholarships to the parents of those poor children so that they could take those kids and put them in a school and hopefully get them an education.

Mr. HAYWORTH. Mr. Speaker, will the gentleman yield?

Mr. DELAY. I yield to the gentleman from Arizona.

Mr. HAYWORTH. Mr. Speaker, since this White House is so poll driven, that is the one time this administration ignored the polling in this Federal capital district.

In the District of Columbia, where over 70 percent, well nigh close to 80 percent of parents, when given the choice, said, yes, we want to have an option and educational scholarships for our children. That should come as no surprise, Mr. Speaker.

Imagine the dilemma of parents whose heads hit the pillow every night knowing that they are sending their children into unsafe, unproductive schools, where their safety is threatened, where sadly they are not learning.

Yet, to have that wiped away in a show of allegiance to factions and groups who insist they want to improve education but instead seem to want to expand the educational bureaucracy is yet another reason why we find ourselves in this dilemma of the factually challenged White House and a factually challenged President.

Mr. DELAY. Mr. Speaker, I appreciate the comments of the gentleman from a Arizona (Mr. HAYWORTH).

Mr. Speaker, I am very happy to yield to the gentleman from Indiana (Mr. SOUDER).

Mr. SOUDER. Mr. Speaker, I want to thank our majority whip. He has been a leader in pointing out a lot of the inconsistencies and problems of this administration as well as being a strong voice for conservative principles. It is an honor to be associated with the gentleman in this special order.

I think the gentleman has made the basic point here that, and I wanted to elaborate on it and get into it a little bit in detail, because I chose when I got elected to Congress in 1994 to pick to go onto the Committee on Education and the Workforce and to choose that as my first choice, not something that many Republicans do.

Because I wanted to come in and do battle. My background, besides being in the private sector business, I had been a staffer for 10 years for first Congressman and then Senator COATS and was Republican staff director with the Children, Youth, and Families Committee in the House for 4 years, and then worked as legislative director and deputy chief of staff for Senator COATS in the Senate where, predominantly, I worked with a lot of the difficult social issues.

I do not think there is anybody that is going to deny the importance of education or how we need to deal with education. We may have some differences of local, State, and Federal, and we even have differences within our party, and the other party has differences.

We are not really going to question, I do not believe, that the President is committed to education. I was over at the White House for the higher ed markup the other day, and I think he is very committed to certain parts of that education.

But we do have a fundamental question of what is happening right now and why we are here this weekend. The President was up here for the State of the Union address. We saw what is coming now. He said, we are going to use all the surplus for Social Security. Then, for about 15 or 20 pages, for about 45 minutes went on with spending program after spending program that would have bankrupted this government for the next 10 years.

Just in child care alone, he had, I am forgetting, it was like $20 billion. It was a phenomenal kind of the twofer approach that we are starting to see now.

Mr. DELAY. Mr. Speaker, I think it is called the Clinton pivot.

Mr. SOUDER. Yes. Mr. Speaker, he is moving so fast, it is hard to tell when it is an actual pivot.

Mr. Speaker, then what happened this year, he sent down a series of proposals, as he does regularly, to try to nationalize education. Because his philosophy of education is that, unless he does something, nothing is happening in education, unless it comes out of the President. When he was governor, it had to come out of the governor. But now that he is President, it has to come out of the President.

As they propose these different things, the Democrats did not even pick them up. We heard very little about it in the Committee on Education and the Workforce; occasionally a whine here or there, occasionally a whine on the floor. But basically his policies just lay in state almost.

We went through several major pieces of legislation, the higher education bill, where we worked and wound up with a bipartisan bill that has many important parts to it that was signed last week. We just completed and passed through a bill to reauthorize Head Start, community services block grant, and other things.

We have been working for 4 years trying to get compromises on vocational education and job training legislation. We did Dollars to the Classroom through here. We have been moving education bills, as has been pointed out today numerous times, 25 different bills in this 2-year term.

We have been moving education bills, and the President basically signs them. In fact, the day after he blasted us for not having an education policy, he invited us over to the White House to sign the higher ed bill.

Then yesterday, he blasted us on education. Probably in the next day or two, we will have a signing of the Head Start bill. There is a disconnect here of what is going on. The gentleman very well prepared, I think, the general public for what is going on here.

In the last couple of days, he has refound these education bills. There can only really be two explanations. One is that he realized, contrary to all the grandstanding that we hear, because the process that we hear is, just give us a clean appropriations bill and put nothing on it, and that the Republicans, I heard this on some news broadcast yesterday, again the Republicans want to put additional things on the spending bills.

Why would we want to do that? Maybe because he vetoes everything else that has substantive reform. The only way to do it is to put it on an appropriations bill. But he is doing the same thing. He wants to put unauthorized, which is basically not allowed by House rules, new programs on appropriations bills.

Whatever he is saying about Republicans on pro-life principles and other things, he is doing on education principles. That is point one.

Point two is, as I have pointed out several times today, this looks very much like the ''Wag The Dog'' movie. I personally do not believe that the movie was very realistic. I do not believe a President of the United States, including in the terrorism incident, would put American lives at stake just for his own political gain.

But I do believe a President would put something like this to try to make us look like we are the bad guys in Congress. I mean, with all due respect to our majority whip, and I do not mean this personal to him because he is a strong conservative, but some of us believe we have already negotiated too much away in this budget, that sometimes our negotiators, probably when they were growing up on Halloween, when they went to the door and said trick or treat, they gave the people the candy rather than the people giving them the candy.

We seem more than willing to surrender in these appropriations bills, yet the President still does not want to deal. Why does he not want to deal? Maybe because today's Washington Post and other papers have ''Are the Republicans Going to Shut Down the Government'' on the front page, instead of whether or not what problems he has with impeachment, with Monica Lewinsky, with Chinese contributors, and so on.

If I can take one more minute before we engage. One of the issues is national testing, that national testing is something that neither his base likes; teachers do not like it. The blacks and Hispanics are worried they are going to discriminate against them.

Conservatives do not like it because, if you have a national test, potentially every home school or every Christian

school, everybody who has concerns about a national test could all of a sudden have a standard that they cannot get into college, they cannot get Federal employment, they cannot get into the military. It could become the standard around the country. We do not know what are going to be in these national tests.

The President every year wants to fight over this national testing.

Mr. DELAY. Mr. Speaker, the national tests, therefore, leads to involvement of the Federal Government in designing curriculum. The gentleman just before us, in the special order before us, was talking about, we do not want to get into the curriculum. Yet, the national testing is the back doorway of the Federal Government designing curriculum for our local schools.

Mr. SOUDER. Absolutely. Mr. Speaker, will the gentleman yield?

Mr. DELAY. Certainly, I yield to the gentleman from Indiana.

Mr. SOUDER. Mr. Speaker, how could you have a national test? Every teacher with a right mind and every principal would say teach to the test. That means, to teach to the test, they have to have courses that have the subject matter that is in the test. It is not even logical. I mean, anybody with basically about a first grade or a Head Start or preschool education ought to be able to figure that is curriculum.

But I wanted to give a couple reasons this afternoon why the President should actually oppose national testing to see if we can move him in the direction. Because this is the report card for President Clinton the first semester.

If the subject is math, he clearly would get a D minus because he misses basic arithmetic. For example, he sent over ag. appropriations that were less than what he vetoed the other day. I mean, wait a second here. Let us look at the math. This is like blaming us for school lunches when his bill was actually less than we funded in school lunches but then said we tried to cut it.

His math does not work. He can't be for a balanced budget and say our tax cuts are taking away from the surplus. But he can propose surplus. His math is D minus, is a little generous.

In history, we have an incomplete, because, clearly, he is following the Nixon parallel well. He has read up on Nixon. He has got all the things, yell at the special prosecutor, stonewall them, all that down. But he does not understand other parts of history too well. So we gave him an incomplete there.

In citizenship, he gets an F. He fails to grasp the basic concept of a respect for the legal process. The perjury, what you tell your staff to do, that is a clear F.

Health. He fails there with an F. He fails to master the dangers of illegal drugs. In fact, just the other day, apparently we thought we had an agreement on the two drug bills. Senator LOTT now says that, since General McCaffrey agreed with this, the President apparently said General McCaffrey did not speak for this administration, and they want to go through the drug bill piece by piece.

He continues the lack of I did not inhale, all that kind of thing. Plus he relies on lawyers instead of doctors. Basic health, he thinks the way that we get health care reform in this country is to put it in the hands of the lawyers.

In foreign languages, we did give him an A. He interacts well with the Chinese unable to speak English. He has clearly done really well in a lot of the fund-raising from overseas. Nonnationals contributed to his campaign. So he gets a good A in foreign languages.

We should have given him an A in English, too, because he really is precise. He tries to sort out exactly what ''is'' means. He tries to go through the preciseness of the English language to make sure that he is avoiding saying anything he did not mean.

Mr. DELAY. Mr. Speaker, in fact, he is very good. He is trying to rewrite the dictionary.

Mr. SOUDER. Yes. Mr. Speaker, that is a good point.

In science, we gave him a D. He misimplies census statistics. Clearly he does not know how to count and what the Constitution means regarding counting and what math means there. Sampling is one thing, but when we come down to actually getting a count, sampling does not really work.

Furthermore, he fails on missile defense. Clearly, Moscow is 80 percent protected. We do not have anything protected. He does not understand some basic science there. We could also throw in environmental science in here where he has no real understanding of the fundamentals of the environmental science.

□ 1815

In government, he would get a D. He lacks knowledge of the role of Congress. He was elected, he keeps reminding people he was elected President. We were elected to control the House and the Senate. At some point here, somebody has got to make a deal. We are are all adults. We get upset that we cannot see pro basketball right now. We say, why cannot adults, knowing they have the differences, sit down. It is not like there are any surprises. It is not like they have not been been talking and warning each other for two years. Unless one side has a posturing point here, we ought to be able to sit down and do that. Economics, we give him a C minus. He does not understand tax incentive very well. He does understand what a balanced budget is but, then he wants to spend the surplus. He signed the agreement. Gave him a C minus there.

Mr. DELAY. I might also add, you cannot spend the surplus on tax cuts for the American family, but it is okay to spend the surplus for all his government programs.

Mr. SOUDER. He clearly does not deserve more than a C minus.

Mr. DELAY. You are being magnanimous.

Mr. SOUDER. I try to be generous to the President when possible. In physical education he got an A. He is an excellent golfer and a jogger. No comment beyond that.

In attendance, we have had an attendance problem. We have a serious attendance problem. He spent 153 days this year traveling, 32 for vacation, 57 for fund-raisers and other extraneous events. He has only held two cabinet meetings so clearly we have a focus and attention problem. Just out of the kindness of my heart, we did not put a conduct rating up. In fact, the question is what exactly would you write in a conduct. It would be very hard if you were his teacher to give him a conduct rating.

But given all this, you would think that this would persuade him that he should be against national testing, because with a national test he himself would not be able to pass.

Mr. DELAY. I appreciate the gentleman and his comments. I think he puts it so succinctly and directly that the American people can understand what is really going on here.

Mr. HAYWORTH. Again, Mr. Speaker, there is another aspect to this ongoing saga that we would be remiss if we did not point out. Because as my colleague from Indiana just briefly touched on, there seems to be a tendency in this town for members of the fourth estate, that is to say, the press, to view things with a prism that always and forever supplies a benefit of the doubt to the executive branch and to the administration.

You mentioned that in terms of the alleged government shutdown that may be formulated at this time.

I think it is also important, again, to review the itinerary that we understand the President will follow tomorrow. Tomorrow the President will not be involved in negotiations to end this stalemate. The President will instead first go to Palm Beach, Florida and then follow up that trip with a trip tomorrow night to New York City to fund raise for his political party and for candidates including in New York City a gentleman who serves in this House, who also serves on the Committee on the Judiciary and who entertains ambitions of moving across this Capitol into the other body.

Now, again, I should point out that we certainly know why Washington fancies itself a sophisticated place, sometimes sophisticatedly cynical. But even with the collective mindset of journalists and the punditocracy in Washington, D.C., certainly, Mr. Speaker, we can detect some conflict of interest. Indeed, my colleague from Indiana, in his other position in oversight on the yet another committee, we understand that given campaign finance difficulties of the minority party in this Chamber, apparently in excess of $1 million, some $1.7 million has yet to be refunded that the minority party

in this Chamber claimed they would do given the status of those contributions and the apparent illegalities involved. Does the gentleman from Indiana have a comment on that?

Mr. SOUDER. Yes. Hopefully later today we will be talking further about that. In fact, this is interesting, the board that I chose to put the national testing on is one I had earlier of 94 witnesses who have fled the country or pled the fifth.

The problem is that you have to change this part up here a lot. It is now 116 or 118 people. We know that a number of these witnesses, they have had to refund the money, but others are still pending. If they would talk to us, we probably would have a lot more money that has been illegal. As Chairman HOEKSTRA'S oversight investigation of the Teamsters, he sees the same money laundering pattern there. As these things move up, you start to see the same names pop up in different places. They have some real problems. They would like to make this whole discussion of what Congress has been focusing on just about the legal questions or about personal affairs of the President or people in the White House, but the truth is that it is a lot more complicated. It would be nice if some people helped come forward to clean up the process that this government has sunk into.

Mr. HAYWORTH. I thank the gentleman for his comments. Again, I am somewhat amazed and chagrined that now over 100 people, almost 120 people have either taken the fifth amendment or fled the country with regard to this investigation. It only compounds the difficulty that sadly we see in this city within this government, within the executive branch.

As I was looking at the report card offered the President by my colleague from Indiana, Mr. Speaker, I thought about my own children, their educational experience and the fact that our youngest, John Micah, not to be confused with the gentleman in the chair from Florida tonight, but John Micah with an ''h'' at the end of his middle name, is fond of a new endeavor at school, being a year out of kindergarten and being 4½, something called connect the dots. And it is a metaphor for what is transpiring within the executive branch of this government, to the point where we have moved past connecting the dots in some areas of conduct and, to mix metaphors, we have moved from that endeavor of connecting the dots to Hans Christian Andersen's fairy tale of the emperor's new clothes or the lack thereof.

It is amazing, again, to see the willingness of people to turn away, to actually try, through the punditocracy to distract us, to suggest that constitutional procedures should not be followed, that it really would be better to try and find an unconstitutional or extra constitutional third way that is just as devoid of reality as any fanciful tale you could find in children's literature.

Mr. DELAY. The gentleman is right. I think he has expounded on his premise of where he quoted Paul Greenberg, do not watch what the President says, watch what he does. The gentleman from Indiana, as he says, is on the Committee on Education and the Workforce.

My question is, who is in charge? We do not know who to deal with anymore. We have been here all weekend. We are going into more negotiations tomorrow, and who knows how long we will be here. And again, I tell my colleagues on the other side of the aisle, we will stay here until we get it done. But this whole notion of who is in charge and what he says and how he backs up what he says, we have already talked about the fact that having 100,000 teachers being paid for by the Federal Government would be as successful as the 100,000 cops that they have not funded yet. There are only 58,000 that have actually been put on the streets because nobody, most people do not want to participate.

The gentleman is on the Education Committee. I seem to remember that along with that, the President wants to improve the technology, put computers in every classroom, those kinds of things. In fact, I think his quote was, the budget should also bring cutting edge technology to the classroom, the library.

Does not the Department of Education have a trust fund and they have had a trust fund to bring technology to the classroom and it has been in place for over 2 years. And not one dime has been spent on improving technology in the classroom. So they have this bunch of money sitting out there. That was not good enough.

The President of the United States got the phone companies to raise taxes on phone calls, we call it the Gore tax on long distance, to help fund this effort, and that was not even part of the agreement, when the bill was actually passed a couple of years ago. Another almost shutdown where the President demanded new programs and things like that. But there is money there. There is a trust fund set up, and they cannot even spend it. So they propose a program for rhetorical reasons. They get what they want by negotiating out the final outcome of spending, yet when they are given it, they cannot even implement it. They are so incompetent they cannot even implement those programs.

Mr. SOUDER. I think it is important for those who may not be real C–SPAN junkies who may be watching today, you did not say the President is trying to provide Gortex to people. It is a Gore tax. The vice president has proposed a tax on all American consumers to pay for one of their pet programs. A lot of times when we say it real fast, it sounds like Gortex.

I think you have hit the fundamental point. There is a difference. In my heart of hearts, I believe that the President and the First Lady have a sincere commitment to education. I believe, however, they want to nationalize it. Furthermore, the way they do that is they poll test. I had the unusual experience, when I was working with Senator COATS for 2 years, to work with Dick Morris, who is a very brilliant pollster, but he tests different things to see, and these things get the highest response, even down to the words with the little things on your arm where you try to see which words get the response.

My daughter is an elementary ed and her secondary emphasis in education is preschool education. And as I mentioned, I am on the committee. I also am more of a neoconservative than a particular libertarian. We may have some differences on this, but there is a framework for the Federal Government within to work. That is, if certain school districts, say, in inner city Chicago or New York do not get covered or do not have the property tax base and they do not get covered at their State, we have developed programs at the Federal level, chapter 1, TRIO accounts and so on, to say for the very poor there is a Federal role. We also, because a lot of States and local governments ignore the handicap, have developed a program called IDEA. We developed Head Start. It is not that the Federal Government is not in education.

Quite frankly, almost everybody in this body votes for those particular programs every year. The question is that that was a very particular need. These, I believe, as you stated, are poll driven. Even when the money is there, they do not use it. There is no reason that every school district has to surrender their sovereignty on computers and that type of thing, that there can be, there are plenty of targeted funds that can be better used.

We did far better for this country by balancing the budget, getting interest rates down, getting taxes down in local communities and giving families more money to work with so they can try to make the decisions at the local schools. If we are going to fund Federal programs, it takes a lot of gall for the President of the United States to propose new programs when he has not funded the programs for the handicapped children in this country. If he is going to spend money, he ought to give it to those who are hurting and where we have a consensus, not come up with new gimmicks.

Mr. DELAY. I appreciate the gentlemen from Arizona and Indiana participating in this special order. The insight was very valuable.

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MANAGED CARE REFORM AND OTHER TOPICS

The SPEAKER pro tempore (Mr. MICA). Under the Speaker's announced policy of January 7, 1997, the gentleman from New Jersey (Mr. PALLONE) is recognized for 60 minutes.

Mr. PALLONE. Mr. Speaker, I wanted to start out this evening by pointing out that the problem that I as a Democrat and I think most of the Democrats have with what has been happening here the last 2 years is not necessarily that we are not willing to debate with the Republicans on these issues because in many ways I think that what happened today in the discussion that we have had today on both sides of the aisle has been rather interesting. The problem is that on most of the Democratic initiatives which I think are the initiatives that the average citizen is concerned about, we have not had the opportunity to bring them up. We have talked as Democrats about how we want to bring up before the Congress adjourns education concerns, money to modernize our schools, to hire additional teachers, 100,000 new teachers. We are going to talk this evening in the next hour quite a bit about HMO reform. We have talked about the need to address Social Security because we know that eventually down the road there is not going to be enough money in the Social Security trust fund. But what we have found is that the Republican leadership does not allow these things to come up. They do not even allow, and the very debate that we have had tonight in the context of these special orders is not a debate that we are allowed to have on legislative issues because the legislation that deals with these education or HMO, health care concerns or Social Security concerns, we do not get an opportunity to deal with it. The Republicans control the House. The Republicans decide what comes to the floor. And they have basically stalled and not allowed most of these concerns that the American public has to even be considered. That is why we are here tonight on Sunday to debate this, why we are demanding that these issues be addressed before we go home, and all we keep hearing from the other side of the aisle is that they want to get out of here quickly, they think they have completed their business. Well, they have not completed their business. We would like to point that out.

I yield to the gentlewoman from Connecticut who started the special orders earlier this afternoon and who has been our leader on so many of these issues.

Ms. DELAURO. I thank the gentleman from New Jersey. I just wanted to make a couple of points before we start our hour's time here. The gentleman who led the previous discussion here this evening is the third-ranking leader in the House of Representatives, the majority whip. I think it was interesting to note that he commented about the government shutdown 2 years ago. What is quite extraordinary to note is that the government was shut down twice, unheard of in the history of the United States, by the Republican majority because, as my colleague from New Jersey has rightly said, and sometimes people do not understand this, when the party is in power and they have the majority, they control what happens here. You can say anything that you want about the Democrats were in the majority and you could agree or disagree on what they have, but the fact of the matter is that the Republicans control both the House and the Senate. But an interesting point, because he talked about how terrible a government shutdown would be and that is not what they were looking for and that it was the President looking for a government shutdown. Well, I was so stunned by a comment that the majority whip made when the government was shut down 2 years ago that quite honestly I had it blown up and I have it in my office because I could not believe anyone who held such an honor and held a position in this body would say such a thing. It was in a Texas newspaper and I am happy to provide it to anyone who would like to see it. I am not making this up. He said that when he heard that the government was reopened, that it was the worst moment, and I am paraphrasing, the worst moment of his life. He was grilling steaks on his balcony with some other Republican members, and he said, ''We should have kept the government closed for as long as it was necessary.''

Now, he has the luxury of saying that because he was earning a salary while the government was closed and people who were furloughed or laid off had no idea whether or not they were going to get their salaries, and the hundreds and hundreds of services that are supplied by this United States Government were shut down. So that he truly is someone who, in fact, was pleased that the government was shut down in the past, and I hasten to view that he would not mind if that happened again. That is where they are going.

I might also make just one more point. We are talking about how this Republican majority, how they legislate and the reasons for what they do and how that is tied in to special interest money. There is a big argument, if you will, a feud, GOP Feuding About Lobbyists. The point here, and it is in the papers here, again the majority whip is locked in a feud with the chairman of the Republican Conference because what they want to do is to dump the choice of president of something called the Electronic Industries Alliance. The long and the short of it, the person that is scheduled to become the president of this organization is a former Member of the House, Representative Dave McCurdy, who is a Democrat from Oklahoma. Essentially what they want to do, and this is by their own admission here, this is a quote, they want to send a message to this EIA that Republicans will not deal with trade associations and lobbying groups run by Democrats. Now, this is a quote by John Linder who is the head of their Republican Congressional Campaign Committee who says, quote, we think they, ''they'' being the trade associations, et cetera, ought to look back and see who won the last couple of elections. And Mr. Linder confirmed that Republican leaders held intellectual property legislation, that means that our patents, all of our inventions, that laws restricting foreign governments, speaking of foreign governments, Chinese, everywhere where they are stealing our intellectual property around the world. What he is saying is that they held the legislation hostage that would have restricted foreign governments from stealing our intellectual property. He confirmed, ''Republican leaders held intellectual property legislation favored by these EIA members hostage, quote, to send a message, that if you don't play by the Republican rules and don't do business with the Democrats, we are not going to pass legislation and you are not going to be able to get anything done up here.'' That is the way this Republican majority is dealing, fast and loose, fast and loose with the lives of the people in this country. It is on intellectual properties, it is on tobacco, 3,000 of our kids start to smoke every single day, a thousand of whom die. And they refused to pass tobacco legislation in this body. They are the single biggest recipients of tobacco dollars in the country. So who are they kidding when they talk about what they want to do for the American public? It was Mr. DELAY, it was Mr. GINGRICH who said, ''There isn't enough money in our system. That's why we cannot pass campaign finance reform.'' And it was the Republican leadership of this House who said take Social Security dollars and squander them away.

Mr. PALLONE. ''And let Medicare wither on the vine.''

Ms. DELAURO. That is right.

Mr. PALLONE. That was Speaker NEWT GINGRICH's quote.

Ms. DELAURO. I believe it was Mr. ARMEY, the second-ranking member, who said Social Security is not a system that ought to be in existence or that we ought to have a part of. We need to remember some of those things.

In terms of public education, what we were talking about before, they would just as soon see public education come crumbling down and take public education and take those dollars and put them in the hands of the very few and the very rich and take away our birthright to education in this country.

Mr. PALLONE. I want to introduce the gentlewoman from California, but I just wanted to follow up on one of the things that the gentlewoman from Connecticut said. I am glad that she brought up this issue of Mr. DELAY, his remarks that he made when the government had been shut down by the Republicans and he regretted the fact that it was not shut down longer. There is a basic difference of philosophy here, or ideology, and, that is, that this Republican leadership does not believe in the government essentially, and they believe that it is better if the government does nothing. I have had

many Republicans on the other side of the aisle the last couple of days say, ''Well, it doesn't matter if we're labeled as the do-nothing Congress because a do-nothing Congress is better.'' Many of them actually believe that. They do not look at the concerns that we have for the health and the safety and the protection of the average American as something that is actually positive. Remember that the issues that we feel that they should be raising, managed care reform, as far as many of them are concerned, there is no need for managed care reform because they do not have a problem with the insurance industry basically running roughshod over the American people and not providing medically necessary procedures and operations and length of stay in the hospital that a person needs to provide for adequate health care.

As far as education issues, I think the gentlewoman is right when she says that for many of them they would just as soon not have public education. So when we talk about modernizing school or class size, that is not their concern. They want more students to go to private schools. They are not concerned about public education. When we talk about Social Security, we have heard some of these same leaders say that Social Security was a bad thing from the beginning, so they are not concerned about whether or not we bring up efforts to try to shore up Social Security. She mentioned teen smoking. The same thing. Let the tobacco interests sell whatever they want to whomever. That is laissez faire. They believe that. They are not going to have us play some role in trying to protect young people or teenagers from smoking. And on down the line. Minimum wage. They do not want to raise the minimum wage. We have had to fight that so many times. Every time it has been raised here, it has been a battle by the Democrats to try to raise minimum wage. As far as they are concerned, there is no need to deal with that. For them to talk about how they really care about these issues, they do not care about these issues, they want to go home and they are proud of the fact, many of them, not all, but many of them that this is a do-nothing Congress. I yield to the gentlewoman from California.

Ms. WOOLSEY. I thank the gentleman from New Jersey and I thank the gentlewoman from Connecticut for this day of standing up for the rights of the minority party. I was listening to the majority whip yammer along about the fact that blaming everybody else for this being a do-nothing Congress. Of course if he had anything to say about what they had achieved, they would have stood there and told us what they had done. Instead, they talked and talked and talked about why nothing had happened and pointed fingers and blamed others. If they had managed this Congress any better than the Soviets managed Chernobyl, they would have something to say. If they had been working on the American public's needs instead of trying to raid Social Security, trying to cut taxes so the wealthy could benefit, trying to give education tax breaks for private schools, cheating the public education funding and threatening our national resources with anti-environmental riders, maybe they would have achieved enough that they could have stood up there earlier and said, ''But this is what we did.'' But instead they had to say, ''Oh, it's everybody else's fault, not ours.'' I will quote the Vice President in his saying, ''The right hand does not know what the far right hand is doing,'' if they had their ranks together. They are the majority. And at what cost have they left this country without really anything except renaming National Airport to the Ronald Reagan Airport. They have not produced a managed care bill. There has been no bill to train and hire more teachers so we can reduce class size. They have no bill to modernize our schools, no safeguards for our Social Security, nothing to reduce teen smoking, no increase in minimum wage for working families, and the campaign finance bill that passed the House over their dead bodies, if Members can remember what Majority Whip DeLay said and what the Speaker said about campaign finance reform. And then when we did pass it, it could not get through the Republicans in the other body. They forget. They forget that children, 25 percent of our population are 100 percent of our future. Because of that, they are setting a record, a record that has not been broken for generations, for the least amount of days worked, the least number of bills enacted and the first time since the budget process was created, they have failed to pass a budget. This is not management. This is disaster. That is why they are complaining over there and trying to blame somebody else. But our families deserve better. It is time for a change.

Let me tell you how this has affected our children. 71,682,000 of our population in the United States are children. 10,000,743 more American children have no health insurance, that is up over 10 million from the start of this Congress. This number has continued to rise during the 105th Congress. It continues. Five thousand schools in the United States are in desperate need of repair and many are unfit learning environments.

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Zero, none, of the 100,000 teachers needed to reduce class size and improve education quality have been approved; 14,113,000 children are living in poverty. This is in the richest Nation in the world. Despite a very strong economy, children continue to represent 40 percent of the impoverished while compromising only 20 percent of the Nation's population, and yet we have to remember 100 percent of the Nation's future. Seventy-three percent more children have taken up a daily smoking habit. Each day 3,000 kids become habitual smokers. Of these 1,000 will die of smoking-related illnesses.

It is time that we turn the debate to the needs of our children, our seniors, our environment. Enough about politically inspired investigations, and excessive partisanship and wasteful spending on duplicative and wasteful Republican committee investigations that have ended in dead ends, costing millions of American dollars. Instead, we have to do something about managed care reform. We have to have campaign finance reform. We have to have bills that will reduce teen smoking. We have to have bills that will enhance environmental protections. And we must raise the minimum wage. Then our children will be considered our number one priority. But most of all, making them our number one priority, we must invest in their education. We cannot leave here without an agreement for 100,000 more teachers and new and improved classrooms.

Twenty-five percent of our population are our children. One hundred percent of our future are those same children.

Mr. PALLONE. Mr. Speaker, I want to thank the gentlewoman, and I wanted to point out tonight, if we could just spend a little time on the issue of HMO reform, because all three of us went over to the Senate; I believe it was a couple days ago now when the democratic majority leader Mr. DASCHLE tried for the last time, and he has tried many times, to bring up the issue of HMO reform or the Democratic, really bipartisan, proposal that we call the Patients Bill of Rights. And many of us in the House, the three of us included, went over to the Senate and basically stood in the back of the room to show our support for the effort to bring up HMO reform, and, as you know, it was a defeated. We had a couple of Republicans that joined all the Democrats, but not enough because we do not have the majority to bring it up and to discuss it.

Again, we were only asking that the Senate take up the issue on the floor. The issue of whether they passed something, the Patients' Bill of Rights or any kind of managed care reform, never came up. Again, we are just asking that they consider these things as part of the debate, and that was denied, and that unfortunately probably means the death knell of that issue in the Congress for this year.

What I wanted to point out very emphatically, if I could, is that what the Democrats and some Republicans, this is not just a Democratic issue, but it is something opposed by the Republican leadership; what the Democrats are asking for are very simple common sense protections.

Most people, when I discuss this with them, unless they have had a problem with their HMO, you know, because maybe they have been healthy and

have not had to deal with this, they think that these things are already there. They are surprised to learn that these protections do not already exist, and just to give you an idea, I just listed some of the main ones here that we would like to have provided for all patients, all Americans, is guaranteed access to needed health care specialists; if you need a specialist, that you should be able to get one; access to emergency room services. Many people go to the emergency room and are either turned away or find out later that their health insurance will not cover the emergency room care. Continuity of care protections, access to timely internal and external appeal; if the HMO or insurance company denies you a particular procedure, then you should be able to appeal that and have it overturned. Limits on financial incentives to doctors. Unfortunately, and many people are surprised to learn, that doctors in many managed care organizations are actually encouraged and given extra money if they limit the number of people that are provided care, assuring doctors and patients can openly discuss treatment options. Can you imagine? I do not think there is anybody probably who thinks that there is anything out there that would deny doctors and patients the right to openly discuss treatment options. We live in a free society, we value the first amendment, and yet many of the HMOs tell their physicians that they cannot talk about treatment options that are not covered by the health insurance. It is called the gag rule, which is un-American. Assuring that women have direct access to OB/GYN; I know that Congresswoman DeLauro has been very much involved with that and some of the other issues that women have been denied by their insurance companies, various types of care, and lastly an enforcement mechanism that insures recourse for patients who are maimed or die because of health plan actions. Many people do not know that if their HMO denies them a particular type of care and they are seriously insured or die from it, that they cannot sue the HMO. Well, they should be able to.

We are just pointing these things out because we think that every American should be guaranteed these basic protections. But if we do not enact them into law, if we just proceed with this do-nothing Congress that says that the government does not have to do anything, you know laissez-faire, or whatever the term is, then we have a situation where these insurance companies simply deny care, decide what is medically necessary, and you have no recourse, and that is what we are trying to prevent.

Mr. Speaker, I yield to the gentlewoman again.

Ms. WOOLSEY. Well, you said that maybe some of our colleagues have never experienced the shortcomings of managed care because they are healthy. Well, oops, maybe it is because they can afford other coverage. It might have something to do with people being wealthy, and I think we have to remember that, and we have to continually remember that if an appeal process does not have real teeth, it is not an appeal process.

There is some very good managed care providers in my district, the Sixth Congressional District in California. I mean they are models for the Nation. But I tell you we can be assured that even these good managed care providers are going to have to give up some of their quality, some of their standards if we do not have real reform because they will have to compete, and they will be competing against providers that do not do as well, do not do as much, do not have protections, and everybody is going to lose because we will be slipping sliding to the lowest rung of the ladder; there is no question about it.

We have to have real managed care reform, and the doctors in my district want it. They want to be part of making the decision about health care with their patient. They do not want to have to be listening to what a clerk in an insurance company is telling them that they can to or not do for their patient. The patient and the doctor want to make those decisions, and the insurance company is responsible for paying for it.

Mr. PALLONE. I want to thank the gentlewoman and yield to the gentlewoman from Connecticut.

Ms. DELAURO. I think that this is such an appropriate discussion, and it is such an issue that is on the minds of the American people, and that is what is being flaunted here. It is not us. It is about what the American people have talked about in terms of the whole managed care system which they find is out of control.

There was a recent Times CNN poll that found that 76 percent of Americans support managed care reform. Only 41 percent said that they were very confident that their health care plan would pay for their treatment if they really got sick. And now you have another, and most people, and I think everybody saw it, As Good As It Gets, the movie where there is the great applause line when Helen Hunt expresses her frustration with the HMOs and managed care because people feel that that is out of control, that they, in fact, have no way of being able to handle this system.

More recently we have found that the HMOs are pulling out of Medicare and leaving seniors on their own. It has happened in my State of Connecticut where we have 12,000 people now who are, you know, trying to scramble around for what they are going to do for their health care. Now, it is not only happening in Connecticut, it is happening all over the country. So, the fact is that the public truly knows that the managed care system is out of control.

Now we tried to address that, as both my colleagues have pointed out, with a very simple set of guidelines, if you will, in which my colleague from New Jersey mentioned about emergency room care, and speciality care and continuity of care if your employer changes plans, and employers change plans every year now.

Just interesting to note that that was a bipartisan piece of legislation. There are lots of folks said if we can put the bickering aside and do something on behalf of the American public, let us set the record straight. It is a bipartisan piece of legislation. Dingell, Ganske, a number of other folks including the gentleman from New Jersey who worked very hard on this issue that could have passed this House in a heartbeat. But go back to the notion that who was in charge? Who has the jurisdiction to bring up the legislation? Who has the jurisdiction to hold hearings?

Three days of hearings on the issue of managed care reform; contrast, 63 days of hearings on politically-motivated investigations. More to the point: 2 days of hearings on renaming National Airport the Ronald Reagan Airport.

Now for 3 days, only 3 days for our health care system, they finally passed; they brought up after months and months, they passed this sham bill, sham bill, and I just want to mention it because they will come up and claim that they passed a HMO bill, but let me just say that it makes things worse, the bill that they passed. It does not guarantee coverage of emergency care, it does not guarantee privacy of medical records. That is your medical records which today is such a problem with regard to employment or with regard to insurance coverage can be given away to anyone without your knowledge. It would not guarantee access to specialists, it does not guarantee the continuity of care if your doctor is arbitrarily dropped from the plan, does not hold health plans accountable for their decisions when things go wrong. And above all, above all, it will not give the power to decide what is medically necessary to your doctor.

That is the fundamental reason people want to see health, managed care reform because of they want doctors to make the decisions along with them, with themselves.

Again, this is thwarting the will of the public, it is thwarting the will of the majority in both the House and in the Senate, and they recently, just 2 days ago, defeated managed care. That is not the way that this place should be operating. We are here to represent people's interests. We are not for political reasons to thwart the will of the people particularly on their health care and their health and their safety.

Mr. PALLONE. The gentlewoman points out, makes a very good point I should say, with regard to the HMO reform, and that is that, as we know, back in August, there was so much heat, if you will, on the Republicans to deal with the issue of managed care reform, so many constituents who were

clamoring that they take up the issue that they finally did just on one day with a very brief debate on the House floor allow the issue to come up. But what they did as a result of that was to pass a bill that was actually worse than the status quo.

I have not been dwelling that much on that, although I think we should talk about it a little bit because when it went over to the Senate, they would not even take that sham bill up. So we are faced in a situation now where they will not even bring it up again because they think that, you know, circumstances have changed and the public is not paying as much attention to that, which I think is garbage. There is no question that the public is still very much concerned about it.

But if we can just take a minute to elaborate a little more on this sham bill that they brought up, and I think you pointed out this issue of medical necessity which is really the heart of this debate because when we say that a person is not getting care, it is usually because they are not allowed to have a certain operation or they are told they cannot stay in the hospital more than 2 days for a certain procedure, and so the decision about what is medically necessary in that case, just to have the operation or to stay the extra few days, is essentially made by the insurance company.

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What the Democratic or bipartisan, if you will, Patients' Bill of Rights says is that medical necessity will be based on generally accepted principles of professional medical practice.

So it goes back to what the physicians and the physician groups say is necessary, as opposed to what the insurance companies say. They do not change that in their bill. They simply say it is up to the insurance company to decide what is medically necessary.

This kind of trickery goes on for just about everything in their bill. Emergency room care is another example. You can theoretically go to any emergency room under the Republican bill, but there is no guarantee that the insurance company is going to pay for it.

We use this example of severe pain, because under the Democratic bill, we use a lay person's standard, a prudent layperson. Obviously the prudent or typical citizen, if you will, if they get severe pain in their chest, figures they had better go to the emergency room because they may be having a heart attack.

Under the Republican bill there is no guarantee that severe pain is a basis for your getting emergency room care. You could go to the emergency room with what you think is a heart attack because you have severe pain, and, if it turns out you do not have a heart attack, they do not pay the emergency room.

Ms. DELAURO. If you survive, they do not pay. Only if you die.

Mr. PALLONE. I just want to mention one more example. We laugh, but it is not funny; but it is ridiculous when you think about it. I talked about the gag rule before where they do not allow or many of the HMOs do not allow the physicians to talk about procedures that are not covered by the insurance plan. In the GOP bill, a health plan would still be allowed to restrict communications between doctors and patients, because their bill only prohibits gagging doctors who contract directly with the HMO plan. What they do not tell you is that most doctors subcontract with health plans and their bill does not prohibit plans from gagging doctors who subcontract with plans.

So here again we have got all these little quirks in their legislation, little exceptions and things that turn out to be big exceptions that still impact the majority of the people.

There are similar things with the financial incentives, where most insurance companies can still create financial incentives for doctors who do not provide care.

So, again, I have not stressed this too much, because I would have at least appreciated if the Senate would bring up any managed care reform bill and let us debate the issue the way we have tonight in this special order. But we did not even get that. So there is almost no point in talking about what should or should not be in the bill, because they will not let us bring the bill up.

I yield to the gentlewoman from California.

Ms. WOOLSEY. We should not be surprised, because a year ago, November 1997, let me read to you from the New York Times.

> Business and insurance lobbyists who helped kill President Clinton's health plan in 1994 are mobilizing a new campaign to block more modest proposals that would set Federal standards for quality of care. Republican leaders of Congress are urging the lobbyists to step up their activities against an array of managed care reform bills, backed by consumer advocates as a way to protect patients in a turbulent medical market.

That was the first. Then the times reported on October 22, 1997 that Melody Harnad, a Federal Affairs Counsel at the Health Insurance Association of America, summarized the situation in a confidential memo to her supervisor, the vice president of the association, and she said,

> The message we are getting from the House and Senate GOP leadership is that we are in a war and need to start fighting like we are in a war. Republican leadership is now engaged on this issue and is issuing strong directives to all players in the insurance and employer community to get activated.

Well, I would like to say that there was a lot of fear in 1993 when I was first sworn into the House of Representatives, a fear of a single payer national health care system.

Well, I think we are going to get there sooner than we ever thought, because, with attitudes like this, the public has to be fearful that they will have health care in their future, a national health care system could protect them and will.

Ms. DELAURO. If the gentlewoman will yield for one second, because I think it is interesting, and this is a quote, because we started talking earlier about how special interest money plays into this effort. It happened, as we pointed out, with tobacco, and there was a $40 million ad campaign by the tobacco companies to defeat tobacco legislation, and they succeeded. They succeeded.

Now, this is what Senator LOTT said, that the Senate Republicans need a lot of help from their friends on the outside. ''Get off your butts; get off your wallets.''

Then we see another $40 million ad campaign by the group of votes here.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members must not make personal references to members of the Senate.

Ms. DELAURO. Mr. Speaker, then the leader of the other body, that was his quote, so that in fact what you understand here is that they wanted their folks to get up, get their money out there, and defeat managed care reform. Another $40 million ad campaign to defeat managed care reform, one of the single biggest issues that the American public is trying to grapple with today. It just reinforces the point of how this Republican-controlled Congress is dealing with legislation that faces people.

Ms. WOOLSEY. Taking my time back, it worked. Did it not work? We do not have managed care health reform in this Congress.

Now we have to change it. The people of this country have to know what is happening, and I thank both of you for making this possible so we can speak to the issues and the people who are listening can hear the issues, and we can be moving forward. We need a Congress that cares about health care, our seniors, our children and our environment, and this Congress and its majority does not.

Mr. PALLONE. I want to thank the gentlewoman. Let me talk a little bit more about health care, if I can, and then maybe we could also bring up this whole debate over Social Security, if you would like, because I think that is another one of the major points that I feel needs to be addressed and that the Republicans have gone on off on a totally different course.

I was so glad when you mentioned about the President's health care plan a few years ago, because, if we remember, at the time the President brought up his proposal for universal health care, it was a different proposal. It was not a single payer system, it was a different approach. But, nonetheless, he was responding to the fact that so many Americans, and more Americans every day, did not have health insurance.

Many of the issues that we have brought up are sort of aspects of that. We talk about managed care reform, we talk about portability, we talk

about preexisting conditions, about people being denied care. But, most important, the President was addressing the fact that more and more Americans do not have health insurance.

What we have found since the President's plan was defeated by the special interest lobbyists and their multimillion dollar campaign was the number of people that have no health insurance has gone up. There was a report that came out just a few weeks ago that had an all-time high, it was over 40 million Americans, 42 or 43 million Americans have no health insurance. So we know the concern he had then was a legitimate concern, and, in fact, the situation is getting much worse.

Now, we have tried sort of dragging and kicking to get this Republican Congress over the last few years to address some of these concerns. We did manage to get a kids health initiative passed last year. But what we found, in fact, we had a hearing just a couple of weeks ago in the Committee on Commerce on the kids health initiative, because that initiative came out of the Committee on Commerce and was also another focus of our Democratic Health Care Task Force, is that although we were now on the way to ensuring about 5 million more young children, that the number of uninsured children is rising at a much more dramatic rate than it was when we were trying to address this kids health initiative. So as fast as we are with this new program trying to ensure more kids, the number of children uninsured is growing even larger.

The main reason for that is because so many people who are working, and we are not talking about people who are on welfare or eligible for Medicaid, we are talking about families that are working, who cannot get health insurance for their kids because more and more employers are not providing for health insurance, are not given the opportunity for health insurance on the job.

I have always felt what we needed to do was somehow encourage more employers to provide health insurance. I do not know how you do that, whether it is a mandate or through some tax incentives or whatever, but the HMO reform, as important as it is, only helps those who already have insurance. The numbers who do not have insurance continues to grow.

This Republican Congress, it just ignores this whole health insurance debate, and essentially, as Ms. DELAURO said, is basically just in the pockets of the insurance industry, and they do not want any of these reforms to take place. They just do not want to hear it, every aspect of this health insurance debate.

We are at the end of this session. We are not going to be able to address most of these things. But we cannot let them go home, we cannot let them go home without addressing some of these concerns, whether it is HMO reform or the education initiatives or some of the other concerns that we have brought up here.

As I said before, with all the things I think should have been done in this Congress, if I was able to say that I only stayed here a few more days and was at least able to get the school modernization program passed, I would be happy and say okay, ''let's go home.'' But, right now, they are not willing to address any of these things, and we just have to keep pointing it out over and over again.

Ms. DELAURO. I think the gentleman is right. Also, just because of what they will say on the other side of the aisle, I would just say this: There are reasonable people, as I said, because the managed care reform bill was a bipartisan piece of legislation. It was the leadership who will not bring it to the floor. I think that is critical, because this is not bickering back and forth. We could have done this. We had enough votes.

Mr. PALLONE. If I could just take my time back a second, you remember that we have our Democratic Health Care Task Force, but the Republicans had set one up also, and they had come forward at some point in the summer, early in the summer, with a patient protection bill that was very similar to the Patients' Bill of Rights. Some of the people on there had actually endorsed the concept of our Patients' Bill of rights. But when Speaker GINGRICH got a copy of that thing, he immediately said, ''No way. We are not going ahead with this.'' He obviously showed it to the insurance industry and they said, ''No way, this is much too protective of the interests of the patients,'' and he told them literally, ''Go back to the drawing board.''

They went back, two or three more weeks, and they came out with this awful bill that they eventually brought up in one day.

Ms. DELAURO. That is precisely the point. Let us listen to the public. We reflect their interests here. We put a piece of legislation together. Let us get it passed.

The other thing they would say is that this was going to drive the cost of health insurance sky high and make it unable for people to pay for.

Wrong. The CBO analysis, Congressional Budget Office analysis of the Patients' Bill of Rights of 1998, was it would have only a minimal effect on premiums, with most individuals paying only about $2 more per month for all of the protections that have been cited in the past. So they should not have said that.

Mr. PALLONE. If you remember, we had many of the Members of the Texas delegation, and these are not ideological liberals by any means, Democrats, many of them of conservative ideology, who had the experience in Texas where Texas passed a Patient Protection Act, and it was very similar to what we want at the Federal level. The results are already in and show that the cost is practically nothing. I think it was like 34 cents a month or something like that.

One of the reasons that the cost was so minimal, and this was brought out by one of our task force hearings where we had someone testify from some of the Texas organizations that were involved, was because it led to prevention. In other words, it was sort of like what Congresswoman WOOLSEY was saying: Once the HMOs have this sort of floor that they have to provide these basic protections, they are very careful to make sure that the level of health care that is provided is of good quality, and you have preventative measures taking place so that you do not get lawsuits, you do not get all these problems that result from the current system, because they know they are being watched, and it actually cuts the costs down considerably.

Ms. WOOLSEY. One thing I would like to call to everybody's attention is that these 10 million children that are not covered, more than 80 percent of them live in families with at least one working parent.

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That is a huge number. We are not talking about welfare recipients, we are talking about the working poor who work every day as hard as everybody else, or harder, at maybe more than one job, and they cannot afford health care for their children. One of the reasons that businesses do not provide it is that health care costs are going up again.

One of the reasons we supported HMOs in the first place, and HMOs were going to be the savior for health care, is because the cost of health care leveled as the number of HMOs grew in this Nation. Now we have passed that nexus. Health care costs are going up in rapid, rapid numbers, and the quality of the HMO is going down, so we have to put that floor. That is what HMO reform would do, managed care reform. I thank the gentleman.

Mr. PALLONE. Mr. Speaker, I know we only have about 10 or 15 minutes left, but if we could just spend a little time talking about the Social Security issue and what the Republicans tried to do a few weeks ago with regard to these tax breaks for the wealthy versus Social Security, because this was very disturbing to me.

We passed the Balanced Budget Act last year. For the first time in a long time, this year there was a bit of a surplus in the budget. However, when we look at the budget, we realize very clearly that that surplus is totally the result of money that has been set aside in the Social Security trust fund, because at some time down the road that trust fund money is going to be needed to pay out benefits to senior citizens. We know that at some point, even more money is going to have to be available than what is set aside in the trust fund years down the road.

But they had the audacity a few weeks ago to suggest and to actually

pass on the House floor a bill that would take money from the surplus for tax breaks, a lot of which, from what I can see, would just help wealthy corporations. But regardless of who it helps, they would be taking this money out of the Social Security Trust Fund. They actually had to change the House rules or get around the House rules because the money was coming directly from the Social Security Trust Fund.

When I talk to the senior citizens in my district, I do not even have to explain this to them. They know it right off the bat. They understand. They become very upset, because if we start skimming this trust fund, we are going to aggravate the problem that we already have in not having enough money to pay out benefits in the future.

Then what is going to happen is the pressure is going to be on to reduce benefits, either by raising the age or eliminating the COLA or somehow changing the Social Security program. That gets back to what the gentlewoman from Connecticut (Ms. DELAURO) was saying again; this Republican leadership does not care about Social Security anyway, so that probably fits into their scheme.

I am thankful at least, in this case, that the Senate did not take up this terrible bill. It just goes again to show the kinds of things we have had to deal with and the kinds of things we have wasted our time with in this Republican Congress.

Ms. DELAURO. When we voted, I know the gentleman from New Jersey (Mr. PALLONE) did and the gentlewoman from California (Ms. WOOLSEY) and I did, we voted for tax cuts. We all support tax cuts. We voted for the tax cuts, and we said that they would go into effect when there was a law in place that would make sure that the Social Security system was solvent. Because in fact with this opportunity for a surplus, the Social Security Trust Fund surplus allows us to have the surplus, so in fact you are using the surplus and then shortchanging Social Security.

We vetoed four tax cuts. I support tax cuts. Men and women are working hard today. Families are literally throwing every hour that they have into the workplace, and they are barely staying even. We need to do that.

However, the point was, let the tax cuts go into effect when we are sure that Social Security is solvent, so the beneficiaries today will keep getting their benefits, and, if you will, my generation, the gentleman's kids' generation, will have the opportunity.

I want to just tell the gentleman why, because this is critical. Social Security is 60 years old. It has been one of the major success stories of this country. We have men and women who are working hard all their lives, and now for their financial security and their retirement years they rely on Social Security. Today two-thirds of America's seniors rely on Social Security for over one-half of their income.

That is staggering, and is why we cannot be political with Social Security. Social Security, we cannot play fast and loose with it. It has to be a thoughtful and reflective process. We have the opportunity immediately to take a look at this potential surplus in order to be able to make it solvent over the next 75 years. This is going to be the critical issue in the next session of the Congress.

There are going to be a number of issues that are going to come up, such as privatizing Social Security, which is something that I lean against, because the other piece, which is important to note, Social Security provides for a guaranteed annual income for these two-thirds of seniors who rely on Social Security for over half of their income. There is a guaranteed annual income.

The privatizing solutions remove that guaranteed annual income, so we need to be very, very careful with it. That is what we were saying by that vote a couple of weeks ago in this body: Let us not raid Social Security, let us make sure it is safe for the next 75 years. Then, yes, let us move to tax cuts, targeted tax cuts for working families today in this country.

Mr. PALLONE. Again, the biggest concern I have is that so much time was wasted on this debate. The Republicans basically knew this was going nowhere, so what happens? We are back here again today. They have not accomplished anything in terms of trying to achieve any of these goals relative to education, HMOs, or Social Security.

The issue is how to deal with Social Security in the long run and try to shore up Social Security for the future. Instead, they waste all this time again, forcing us into a situation where we are going to be back in session here tomorrow. There is no budget, there is so little time, and basically they are saying, look, do not worry about it. Go home. A do-nothing Congress is fine with us. We take pride in it.

It is just very upsetting. I think the only thing we can do is keep doing what we are doing now, keep demanding something be done. Mainly, I think the education initiative is something we can try to achieve over the next few years.

I yield to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Speaker, I, for one, am embarrassed at how little this Congress has produced. I would think the leadership of this Congress, of this House, would be red in the face when they look at themselves in the mirror.

I, too, voted for Social Security first and tax cuts afterward. But I want to tell the Members, I represent if not the, one of the best-educated districts in the Nation. They know about this stuff. They have been saying to me since the day I was elected in 1992, when is the Congress going to pay back what this country owes our Social Security Trust Fund? I have said, it is going to be paid back. We are on our way to a surplus. It will happen then.

I am telling the Members, it had better happen, because if we do not, not only are we putting the Generation Xers and the baby boomers at risk, we are putting our national debt at risk, because a great percentage of that national debt is what we owe back to the Social Security trust.

It is a win-win. It is a two-fer, if we take care of Social Security. We need to get Social Security off-budget. Social Security deserves to stand on its own. It must be secure. I will not fool around with privatizing Social Security, but I certainly would encourage people to have a base, and we have to find a way to encourage people to invest more. We cannot just depend on Social Security for our retirement, because that is not enough. It is not intended for that. It is intended for a safety net. So, Social Security first; tax cuts, yes, particularly for middle-income working families, next.

Mr. PALLONE. My fear is that in the same way, and I do not know when it was, I think it was in the seventies or maybe eighties before any of us were here in Congress, that the Congress actually passed a law raising the payroll tax on Social Security to make sure that there were enough benefits. That is my fear.

In other words, what is going to happen here is if this money from this trust fund keeps getting siphoned off for these tax breaks or whatever it happens to be, then 10 or 20 years from now, the next Congress or future Congresses will be faced with actually having to raise taxes in order to pay for the benefits.

What we are doing now, or what the Republicans are doing now, is taking that money away, or they are not succeeding, but they are trying to take it away for tax breaks, and they are going to make future generations possibly pay more taxes to make sure that money is there. That is the possibility we could have down the road.

Mr. Speaker, I yield to the gentlewoman from Connecticut.

Ms. DELAURO. Mr. Speaker, I just want to say, and it kind of sums it up for me about this Congress, it is really the political equivalent of the Maytag repairman. The Maytag repairman's phone never rang because nobody ever needed his help.

Our phones are ringing off the hook here, but we have a Republican Congress that refuses to pick up the line. All the Democrats are saying on these issues is, let us answer the call from the American public.

First and foremost, we have talked about HMO reform, we have talked about saving Social Security, but what we are asking for in these next several days while we are here is education reform. Let us reduce the size of classrooms, 100,000 teachers in grades 1 through 3, and let us in fact modernize our classrooms, provide those tax credits to local government, so that they

can float the bonds to build the schools, and it will bring down their own property taxes, if you will. Let us do that for the good of our children. That is what we are claiming to want to do in the next several days.

We can talk all we want about what has not been done. We have a few more days. This we can get done. I think we have an obligation to go for it.

Mr. PALLONE. Mr. Speaker, I agree with the gentlewoman. I regret to say that HMO reform is dead, and that there is no opportunity here to really deal with the Social Security issue anymore, because they have run the clock.

But at least over the next few days if we can get the budget to include these two education initiatives, the modernization of the schools and the 100,000 additional teachers, then at least we can say that we have accomplished something before this do-nothing Congress goes home. We are just going to be out there every day saying that. We are not leaving. We are not leaving this place until we get some response from the other side of the aisle on these two issues.

Again, I started off today by saying that when I was back in New Jersey in my district and I was at an event, this is what the people were talking about. I had a lot of educators there, I had a lot of elected officials on the local level, and as the gentlewoman from Connecticut (Ms. DELAURO) was saying, they were saying they need to modernize their schools, and they cannot do it. They cannot get the bonding. The cost of the interest rate on the bonding is so excessive that they either cannot do it, or the taxpayers are upset because of the amount of money that is involved.

We need to address these issues. I know the gentlewoman has the dozen education initiatives that they failed to do. I wish the gentlewoman would go over that.

Mr. Speaker, I yield to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, I would be happy to. This is the dirty dozen that the Congressional Republicans wanted to do to our public schools: eliminate the Department of Education; divert billions of dollars in public school funds for private school vouchers; cut school lunches for poor children; block-granting critical education programs, and when we block-grant those programs, we eliminate programs, and there is no accountability by the Governors as to where that money is being spent; ending equal opportunity in higher education; tax cuts for wealthy taxpayers who send their children to private schools; eliminating summer jobs; eliminating school-to-work; ending school interest subsidies for student loans; eliminating safe and drug free schools. That is the litany, that is the legacy of this Republican Congress.

Mr. PALLONE. Hopefully, we can get something done before we adjourn.

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PRIDE IN THE UNITED STATES CONGRESS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from Florida (Mr. SCARBOROUGH) is recognized for 60 minutes.

Mr. SCARBOROUGH. Mr. Speaker, before I begin and respond to a lot of things we have heard, and there is an awful lot to respond to, I want to say a couple of words about two people that were in the news today that all America needs to remember.

First of all is Clark Clifford, who was a wise man to many Presidents. He helped Harry Truman in dealing with the union crisis also certainly helped LBJ in Vietnam. He was a good public servant. He was a wise man. Any clouds that may have come over his life in his waning years certainly are insignificant compared to his public service.

Also we need to be thinking about Matthew Shepherd. He was a young college student who was brutally beaten a few days ago. I find it kind of ironic that Amnesty International this past week issued a report talking about human rights in America the same week that this happened.

While it certainly was not sanctioned by this government, I believe all of us who are public officials must do all we can to publicly condemn these type of actions. Certainly all of America's prayers need to be with Mr. Shepherd today.

There is also obviously strife in the District of Columbia as we have heard. It has always been that way, I guess, from the time that our President Adams, our second President openly loathed our third president Thomas Jefferson. This is a bit of tradition in Washington, but those two gentlemen learned how to disagree without being disagreeable.

Unfortunately, as we have heard today, that has just not been the case. We need this honest debate. There are differences. But I am continually disappointed by the tone of the rhetoric from the other side.

This is what I heard just about 15 minutes ago, quote, ''the Republican majority does not care at all about America's health care, about our children's education, or about the environment.'' This is not quite as bad as the last session when I think I was called a Nazi because I was a Republican probably about 5 or 10 times by the minority because they disagreed with our efforts to balance the budget. This shrill rhetoric does nobody any good.

I have a question to ask. Who says I do not care about our children's educational system, when I have got two boys in public schools back in Pensacola, Florida, just because I do not believe that bureaucracies in Washington, D.C. should have more money, more power, and more authority, and just because I believe that the teachers that I meet when I take my children to student night, to open house night at Cordova Park Elementary School, just because I have faith in the principal that oversees my children every day, just because I have more faith in local school boards than bureaucracies in Washington, D.C., does that really mean that I hate public education? Of course it does not.

But we are 3 weeks away from the election, and this shrillness. It is offensive. We also hear that we hate the environment because we do not agree with their form of regulatory burdens that they have thrown on America for over 40 years while they were in the majority.

Listen, I have got a stream in my backyard. I have got blue skies overhead. My children drink from the water supplies that Democratic parents' children drink from. Who says we do not care about the environment? Again, it is the shrillness.

They have lowered the level of public discourse, and I think it is shameful. We do not need to disparage Democrats just because they believe in a centralized bloated bureaucracy. I can disagree with them without being disagreeable.

I am not going to say that they hate their children just because their policies failed in education from 1954 to 1994. I am not going to say that they hate their grandparents because, over the past 40 years while they were in control, they did not put aside one cent for Social Security.

But after four years, we have already put a plan together to save $1.6 trillion to save for senior citizens and keep Social Security solvent. I am not going to say that they hate senior citizens. I am just going to say that they are misidentified, that their way was the way of LBJ and FDR and generations past.

But we are going into a new era, and we need to go into that era with a bit higher public discourse. They say that we take pride in doing nothing in Washington, D.C. in this do-nothing Congress. Well, I do not want to get into this partisan wrangling, but facts are stubborn things, and the American people have been misled.

I think the American people need to hear the facts. Four years ago, when we got here, Americans had a $250 billion deficit that was strapping them down and strapping the economy down. We had Alan Greenspan, Fed chairman, say, if we balance the budget like the Republicans are proposing in 1995, we will see unprecedented growth in America.

Four years later, we have a $70 billion surplus the way that Washington calculates the surplus. And true to the Fed chairman's prediction, we have unprecedented growth in America. Interest rates did come down. America's economy has been stronger over the past 4 years than ever before.

Am I proud of that? Yes, I am proud of that. I am proud of the fact that we

also did something about welfare reform. We promised we would do something about welfare reform. The President promised in 1992 that we would do something about welfare reform. But when the Democrats were in control, he did not do it. When we got into control, he had to do it.

In the first 6 months, the welfare rolls of America dropped by almost 8 percent. We have a long way to go. But am I proud of the first step we took in welfare reform? Yes, I am proud, and America is proud.

Tax relief, I hear them say that they agree that we need tax relief. But I have never heard of a single tax relief bill that the Democrats have supported since we have been here, not a single one. But we gave Americans the first tax cut in 18 years and tax cuts that will help them educate their children, tax cuts that will help grow the economy, that will keep interest rates down, and have if put student loan rates at their lowest of percentage point. That helps all of Americans. Am I proud of that? Yes, I am proud of that.

Despite all of the wrangling and all of the screaming and all of the moaning about how horrible this Congress has been, the public opinion polls show that more Americans are pleased with the performance of this Congress, over 60 percent. The newspapers say it has been a historical high more than it have ever been.

So am I proud of our accomplishments, yes, I am. Am I discouraged by their rhetoric? Certainly I am. They talk about health care, about how we do not want our families to have good health care. That is insulting.

My father underwent open heart surgery a year ago. He would not have been able to afford it himself. Obviously, we have a health care system that is the best in the world. We have to improve on that and get more Americans in to have access to health care. We have to curb some of the abuses, and that is what we did when we tried to pass a health care reform bill earlier this year.

But it has never been enough. We actually heard 20 minutes ago a Member from the minority party dream wistfully, and I could not believe it, but they cannot help showing their hand sometimes, dreaming wistfully of the day when America will once again recognize that we need a single payer health care system, that we need to socialize medicine in America.

I am sorry. I thought that is what the President tried to do in 1993 and 1994. Have Americans decided in the past 3 years that they were wrong when they elected us to Congress in part because he tried to socialize one-seventh of the economy with the health of the Democrats? No.

Americans still do not want socialized health care. Even if that is what the liberal extreme left wants, we have to chart a moderate course for health care reform.

I also hear them talking about tobacco, the evils of tobacco, and how the Republican Party is fueled by greed, lust, and tobacco money. I cannot help but remember the articles that came out after the 1996 campaign that showed that, no, the Democratic National Committee did not take money from tobacco companies. Instead, they let their State parties take money from tobacco companies, and then they funneled the money to President Clinton's campaign, to the Democratic House Members' campaign, to the Democratic Senate Members' campaigns. The same campaigns where they were shaking their fist on television talking about how they hated big tobacco. They hated it so much they did not take the money directly, they had to take it under the table.

I am saying this as somebody who has not been a friend for big tobacco. I voted against tobacco subsidies before. I will do it again. I think it is bad policy for America. I think it is bad policy for the health of our children. But I also think it is bad to have this level of disingenuousness coming from the other side. Do not attack tobacco if you are taking their money under the table.

Again, we hear about Social Security; last time, we wanted to cut taxes to raid the Social Security Trust Fund. Well, I do not hear them saying anything about the $17.1 billion that President Clinton and the Democrats want to use today to take from the Social Security Trust Fund to fund more government spending in Washington, D.C., more employment of bureaucracies, and more regulations.

The moral of the story today, it appears on October 11, 1998, is that the Democratic Party thinks it is bad to give Americans a tax cut if that takes a dime out of the Social Security Trust Fund. But if we are talking about feeding bureaucracies, making the Federal Government even fatter and bigger and more obtrusive, then that type of gutting of the Social Security surplus is okay.

Again we have inconsistencies. They just cannot seem to get their story straight. They cannot get their story straight on education either. We are the do-nothing Congress on education? I do not think so. I think we proposed one of the most dramatic bills for education reform that has been proposed here in 40 years.

We had a very radical message, a very dangerous message. The message was this, it was a message of Jefferson and Madison, it was that we are a Nation of communities, not a Nation of bureaucracies.

We had the Dollars to the Classroom Act. We said we were going to give 95 percent of the money in Washington, D.C. in education to the classrooms. That is radical in Washington, D.C. in 1998. But we are actually going to spend education money in the classrooms.

I can tell my colleagues, I have been around the classrooms in, not only my children's classrooms, but also across my district, across this country, and then in Washington, D.C., and I can tell my colleagues the classrooms are in dire need of more money, better books, better facilities, better computers, more teachers, and smaller classroom sizes.

But we are not going to get that by keeping the money in Washington, D.C. and growing the education bureaucracy. They are very fearful that power may actually slip out of the hands of Washington bureaucracies and their allies and instead go to teachers and parents and principals.

I am fearful that that will not happen. Because, while they were in control from 1954 to 1994, we saw the educational standards and the system in this country skid at an unprecedented alarming rate.

We have got to do better. My two boys deserve it. Our children deserve it. Their children deserve it. We are not going to do that as long as we continue to fight to protect the status quo.

Let us get all the money we can get into the classrooms. We are not a do-nothing Congress. I really do not want to tread too much into this area, but I think it is necessary, because we have been attacked as being a do-nothing Congress.

I think it is important to set the record straight, that the same party that is attacking us as being a do-nothing Congress, even after we passed this historic balanced budget agreement, the economy is booming. Welfare rolls are down. The Social Security trust fund is solidified.

What we found is that we have a Democratic Party whose leader has held only two cabinet meetings in 1998. Think about that for a second. Here we are being attacked for not doing enough. The President, their President, our President has only held two cabinet meetings this entire year.

We know during the first cabinet meeting, he used it to mislead his cabinet officers. The second cabinet meeting was to apologize for misleading his cabinet officers.

I think we deserve better. I think we deserve more honesty from our leaders when they attack us for doing nothing to actually put that mirror up and see what they have done.

Instead of vetoing every single education proposal that we have sent to the White House, seven education proposals, every single one of them vetoed, I think they need to turn around and start being constructive.

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They are saying they are going to keep us in town. That is fine. We will stay in town. We will debate the issue of education. We will debate who has done better on saving the Social Security trust fund. We will debate on who has done better by balancing the budget for the first time in a generation. We will debate about who has done a better job cutting taxes for the American

people. We will do that as long as they want to do it.

The American people are on our side. They are the ones that need to worry about getting back to their district and justifying what has been going on with the Democratic Party over the past 7, 8, 9 months.

In a free and open debate, in what Thomas Jefferson called the free marketplace of ideas, we are going to win every time, because in the end we believe like Jefferson, Madison, Washington and our Founding Fathers, that the genius of America does not lie in Congress or in the Senate or the White House or in bureaucracies across Washington, D.C. but, instead, the genius of America rests in communities.

We are a Nation of communities. We are a Nation of individuals. We are a Nation of people that actually know pretty well how to govern ourselves and how to educate our children and how to take care of our parents and grandparents.

What is at the bottom of their argument? Regrettably, it is the paternalistic belief that they know how to educate my children better than I do, they know how to take care of my children and my parents' and my grandparents' health better than local governments and State governments. And they know how to spend our checks that we get from working better than we know how to spend our money. It is total arrogance. It is the arrogance that drove them out of power in 1994, and it is the arrogance that is going to haunt them again three weeks from now.

I think we can do better. I think we can continue fighting to do the things that we have been doing. I think we need to ask the President to become engaged in this process, to stop calling out focus groups and pollsters and saying, how can I save myself from this political crisis that I find myself in? We need the President of the United States to come back to Washington, to sit across the table, to negotiate instead of doing what he continues to do.

I told you that he held two cabinet meetings all year for not the best of reasons. Well, he has held over 96 fundraisers this year. In fact, tomorrow he is going to be holding a fund-raiser in Palm Beach, Florida, would we all not like to be there, and New York City. So he is going to be holding as many fundraisers tomorrow as he held cabinet meetings all year.

Is this really a President that is serious about doing the Nation's business, about reforming education and health care and Social Security and balancing the budget and cutting taxes, or is it a President who is desperately doing everything he can in his political power to hold on to his office for at least three more weeks until the midterm elections?

There are some disturbing questions to be asked that we are not going to go into. I want to talk about policy. I want to talk about education because they talked about education. I want to talk about our great record on Social Security and keeping Social Security solvent. We want to talk about taxes. We want to talk about balancing the budget for the first time in a generation. We want to talk about doing all the things that we have done.

We will let the Committee on the Judiciary talk about the impeachment proceedings, but if they want to talk issues, we will talk issues. The American people, I get people calling up saying, you people need to do the people's business. Well, all of this that we are talking about, education, Social Security, health care, that is the people's business. That affects government. But what also affects the American people is whether they have an honest and trustworthy President and honest and trustworthy Members of Congress. And those are tough questions that have to be asked.

At the end of the process, we certainly hope that America will be stronger because of it, but it will be stronger, we know already, because of the great policy objectives that we have put forward over the past four years that have been such a success.

Mr. Speaker, I yield to my friend, the gentleman from Indiana (Mr. SOUDER) who has done a fantastic job with me on the Committee on Government Reform and Oversight.

Mr. SOUDER. I wanted to make a brief comment associating myself with your earlier remarks. One thing, I was a little concerned that you were going to discourage them from advocating socialized medicine when, in fact, you and the gentleman from Oklahoma (Mr. COBURN) and I owe a lot of our presence here, as you point out, to the fact that they advocated socialized medicine in 1993 and 1994. And I hope they continue to advocate that because it goes contrary to the American will.

I want to associate myself with two other things that you said. I think it is very important for the Speaker and anybody watching this discussion to understand. When the venom comes out of the other side's mouth and they talk about the radicals and the people who are extremely conservative, the truth is that they are talking about, if anybody else, you and me and the gentleman from Oklahoma (Mr. COBURN).

Do you know what? I do not take tobacco money. I sent tobacco money back. I do not even take the affiliates of tobacco money. I, too, like you am concerned about the impact of tobacco on my kids. Yet we are the class of 1994. We are supposed to be these conservatives. Who are they talking about exactly? Furthermore, they talk about education and beating on it, saying we are not doing anything. In the higher education bill, there was bill developed by the gentleman from Pennsylvania (Mr. FATTAH) that he worked with the President on called High Hopes. Not a lot of Members in on our side advocated that. I was a cosponsor. In committee we talked together and you cast the deciding vote.

The fact is, the number one priority of the President in education would not be there if the gentleman from Florida (Mr. SCARBOROUGH) and the gentleman from Indiana (Mr. SOUDER) had not voted in committee giving them their margin of one to get it through.

We are supposed to be the terrible people. We are the people they are constantly fingering. We have reached over and tried to work together. We have tried to give them tobacco. We have tried to pass bills through here. We have tried to move the Patients' Bill of Rights and different health legislation through. What we do not see is any accommodation from the other side except venom.

I thought you did a good job of pointing that out.

Mr. SCARBOROUGH. I have to tell you, it has been very discouraging to see for the past four years Republicans sitting on the floor, talking on the floor and balancing the budget, cutting taxes, saving over a trillion dollars for Social Security. And from the first day that we got here, all I have seen is venomous attacks.

I remember the first day we got here, it was the Speaker's book deal, that this was somehow a horrible affront to western civilization. Then they dredged up that story about the Nazi historian and it went down hill from there. Now I am told that I do not care about my children's public education. I care very much about my children's public education, just as I care as deeply about the education of children who are south of the Anacostia River, who will not be getting to go to the schools that the President and the Vice President's children were able to go to when they were here, because the President vetoed a bill that would have given children south of the Anacostia River the same opportunity that his children had.

Now, listen, this is a tough business. I certainly am not saying that the President and the Vice President's children should not have had that opportunity, but I am saying, why do you not give the children in Anacostia and inner city Washington, D.C. the same opportunity that your children and our children have? It only seems fair.

One other thing on the radical remark. If we are radical, then so, too, are the 65 percent of Americans who agree with what we are doing. I guess the only people that are rational are those in the 35 percent minority, because they are basically saying that 65 percent of Americans are backward and dangerous and radical.

Mr. SOUDER. I, too, want to point out that I have two children in college. Both of them went through public schools, through elementary, junior high and high school. My youngest is going through public schools. I went through public schools. I get tired of people lecturing me, whose kids are in private schools, about public schools. I thought that was a very good point.

Mr. SCARBOROUGH. As a public figure, I have seen that time and time

again. You have, I do not want to put a label on them but for lack of a better use of a label, liberals telling me how much I hate public schools while their children are going to private schools. I do not know about the gentleman from Oklahoma (Mr. COBURN) but I know you and I are not country club Republicans. I know he is not either. We are not Rockefeller Republicans by any stretch. We have an awful lot more in common than a lot of those Members claiming that we hate public education. Our children are going to public schools, and I have got to tell you, I am glad every day that they are.

Mr. Speaker, I yield to the gentleman from Oklahoma (Mr. COBURN).

Mr. COBURN. I want to identify with a few of your remarks. Being from Oklahoma, I went to all the public schools, all of my kids went to public school. I have, my third daughter, my youngest daughter is now a senior at Oklahoma State University. Public schools is something that we need to enhance, and nobody here is saying we should not. The question is, how many of the dollars are spent on the children and how many of the dollars are spent in the classroom and how many of the dollars are sent there for a merit raise for an outstanding teacher versus how many of the dollars are spent above that school all the way back to Washington?

The fact is only 60 percent of the dollars are getting to our children. Why should not our teachers be some of our highest paid professionals? Why? Because it is getting chewed up in administrative costs from Washington before it ever gets there.

It is interesting, not long ago they published a study done in Massachusetts, an 8th grade literacy test, 40 percent of the teachers in the State of Massachusetts could not pass an eighth grade literacy test. That is not an affront from me towards the teachers of Massachusetts, but it brings to bear the very real problem. We put the dollars in the wrong place.

If we want excellence, then we have to concentrate the dollars in the classroom. I hope you will yield me about 4 or 5 minutes. There is an area that, another area in Washington that I would like to address and just take a little break here for a minute, if I could.

It has to do with the Office of Inspector General. This is an office that was created to create a balance. The Inspector General in all the different departments in this country was designed to be a balance, to look at, to make sure, to both report to Congress and to the Secretaries that, under the laws, that each of those departments were running properly. It was established to promote economy, efficiency, effectiveness, to prevent fraud, waste and mismanagement in the programs that each of those agencies operate.

There is a particular inspector general, Ms. Susan Gaffney. She was nominated for the HUD Inspector General post in 1993 by President Clinton, was sworn in and confirmed by the Senate. This lady is somebody we can be proud of. She is a career lawyer who has worked to expose fraud and abuse and to expose those who perpetrate and steal the very tax dollars that people bring to the operation of this government.

She has been in the housing industry since 1970. She has had the following awards: the Presidential Meritorious Rank award, the Distinguished Honor award, the Joint Financial Management Improvement award for distinguished leadership, and because of those awards, she was appointed and placed to be the watchdog over the housing programs in this country.

She came in under Secretary Cisneros' tenure and had a great relationship, developed good input and had a wonderful course, where she helped that agency control the dollars and made sure that fraud and abuse were not present.

However, I am sad to report that at this time the situation at HUD is very much different. There is no question that Secretary Cuomo and Ms. Gaffney share the same strong commitment to HUD's mission. However, the department appears very uncomfortable with the concept of an independent Inspector General who has dual reporting responsibility to both the Secretary and to this Congress.

I believe that Inspector General Gaffney wishes to do the job to the best that she can and to bring accountability to HUD, its programs and the taxpayers who support it.

Over the past couple of years a series of events suggests that there have been efforts to tarnish her superb reputation, her record and to limit her ability to do her job. I want to share some of those for the record.

Number one, the Acting General Counsel of HUD, a key aid to the Secretary, asserted that the OIG audit reports should be issued only through the Office of the Secretary, violating the laws that we have set on the books. The OIG was not authorized to have its own office of counsel. The OIG was violating its memorandum of understanding with the HUD General Counsel. These actions contradict the concept of an independent counsel and an independent Inspector General.

□ 2000

A deputy general counsel at HUD stopped a routine investigation of an Equal Employment Opportunity complaint against the Inspector General and instead contracted with two law firms outside of the agency to do a wide-ranging investigation of the complaint. A typical EEO investigation costs $3,000. HUD is paying $100,000 to outside lawyers for the investigation that is ongoing. Number three. On two occasions, the Secretary has cut the office of Inspector General's budget request without notification, without consultation. In February of this year, the Secretary advised Ms. Gaffney to take care in reporting on his program initiative HUD 2020 in the OIG's semiannual report to Congress. The Secretary stated that he was having HUD 2020 evaluated by outside private sector program consultants and their reviews would be very positive. The Secretary said that he did not want Ms. Gaffney to be humiliated by filing a report at odds with the others, regardless of what the truth was. In fact the Secretary spent $412,000 contracting for outside reviews which the Inspector General had a parallel review going on at the same time. One of the reasons is they gave very different results. Despite authorizing language in the Inspector General Act of this government and precedent and other offices of the Inspector General throughout the government, HUD's general counsel opined that the HUD Inspector General not establish its independent personnel function without the approval of the Secretary. Congress has decisively resolved this issue by inserting language in the Senate-House conference report in the omnibus bill on the HUD's 1999 appropriation. The reason I stand here and share this with you is the apparent assault on government accountability and the apparent assault that this Inspector General is under.

When I was elected in 1994, the majority who voted for me wanted a change. They wanted sunshine, they wanted open government, they wanted less government and they wanted more efficient government. They wanted an accounting of the tax dollars that is coming out of their paycheck every day. One of the ways we achieve a goal like that is to make agencies accountable. One of the greatest assets that I have as a Congressman is the Inspector General's office. They have an expert knowledge of governmental areas and critiques of programs. I think the gentleman from Florida would agree when we have Cabinet secretaries undermining the position that was placed there to hold them accountable in the first place, that we have something very wrong ongoing. It is my charge through this House that the Secretary let the Inspector General do her job, that she would not be harassed, she would not be limited and that her exemplary record be used to make sure that our tax dollars are used in an appropriate way for those that are depending on our assistance for housing.

With that, I change the debate back. I think that is something that needs to be said. It is unfortunate that we see this many times coming out of this administration. This is not the only area where we have seen this type of coercion take place in trying to move the government in a way other than sunshine and other than light. I thank the gentleman for yielding.

Mr. SCARBOROUGH. I thank the gentleman. Really it does fit right in with what we were talking about when we were talking about who to trust, about whether we were being misled in this debate or not and whether or not

we can trust the administration officials to properly execute and faithfully execute the laws of this country.

Mr. COBURN. One key point. We heard that the Republicans had not done anything for municipal bond funding for schools. The President vetoed a tax cut for schools in terms of their ability to float bond issues. He vetoed it from his own desk. So to claim that we did not do it, we did it, we passed it, we sent it to him and he vetoed it. So the misdirection. One of the things you do when you are on offense, if things are not going real well is you misdirect. You go a different direction. That is what we see on the football field. That is what we are seeing in terms of playing with the truth.

Mr. SCARBOROUGH. I thank the gentleman. It is disingenuous. It is disturbing and again whether you are talking about tobacco, whether taking tobacco money under the table, shuffling the money around in a different way; whether you are talking about health care reform where they are still dreaming of socialized medicine; if you are talking about Social Security where they claim that we are raiding the trust fund, yet they want to spend $17.1 billion that they would take directly out of the surplus on new government programs; whether you talk about what we have done over the past 4 years in setting aside over $1 trillion for the Social Security trust fund. Again and again it is disingenuous.

Mr. COBURN. I have a question for the gentleman. Where did the $1.6 trillion of IOUs that are in the Social Security bank account now come from?

Mr. SCARBOROUGH. The gentleman is exactly right. For 40 years the Democratic Congress borrowed, begged or stole from the general budget and got $1.6 trillion out of the Social Security trust fund. That has changed dramatically just in the past 4 years. I have got to say, I think I would have a hard time getting on this floor and saying with a straight face that after that sorry record over 40 years, I would have a hard time pointing at somebody else that has made Social Security solvent.

Mr. SOUDER. You would at least think they would come out and say they are sorry. ''We're sorry that for 40 years we did this.'' Maybe it would take seven speechwriters to sort through this over time to get the ''sorry'' part down just right. But how you can come down here and not even say you are sorry and then point at us who have just gotten here, barely 4 years in control, have balanced the budget for the first time, have a surplus actually putting the money over in Social Security and then to point at us just takes an incredible amount. At the very least you should say you are sorry.

Mr. SCARBOROUGH. It depends on what the definition of ''sorry'' is.

Mr. COBURN. I would just make one other assumption. We have tried to slow the growth of spending. We have tried to send money back to the people that are sending the money here. We have done that at the same time while we want to protect what money is coming into Social Security today. We always hear we cannot do it. We cannot do it. That is based on the assumption that the government is this wonderfully efficient operating machine, 110,000 IRS employees. How efficient are we that we need 110,000 IRS employees? How efficient are we at all these different Cabinet levels? How efficient are we at the Department of Education with our 6,000 employees that are mandating on the people that I represent what they will and will not do while at the same time for years the commitment to IDEA, education for those with disabilities, was promised by this government to be 40 percent of the cost. It has never come close. So what we have is school boards having to maintain a federally mandated budget program to meet the requirements of IDEA while we do not send them any money. It is called an unfunded mandate. If we would just pay our share, what we promised to send to the local school districts for IDEA, every school district in the country would average about a $500,000 to a $1 million increase in their budget this next year.

Mr. SCARBOROUGH. That point the gentleman made, that really answers why we got elected in 1994. The question was to the American people, who do you trust? Do you trust politicians with your children's education or do you trust parents? Democrats for 40 years trusted politicians in Washington. We trusted parents. Do you trust bureaucrats at the Department of Education bureaucracy or do you trust teachers? I can tell you I know my children's two teachers. I do not know a single bureaucrat right down the street at the Department of Education. If my child is having trouble reading, or with his math, if he is having trouble in his school, I can go to the source. I do not want 60 percent of their paperwork that they have to do coming from Washington, D.C., and that is what an Ohio study said it did come from. I would rather them have that time working on lesson plans for my children. It does come back to the question of who do you trust.

If I could just say one more thing and then I will yield to the gentleman, because what he brought up at HUD reminds me of something that I found out about a year ago in this Chinese campaign finance scandal. There was an international fugitive who wanted to go to the White House and there was this pesky employee at the National Security Council that said, ''No, we're not going to let an international fugitive in the White House.'' So the international fugitive goes to the head of the Democratic National Committee and he says, ''I'm an international fugitive. They will not let me in the White House. There's this pesky woman down at NSC who won't let me in. Can you fix it?'' The DNC chairman says, ''Sure. I'll call my friend at the CIA, Bob.'' He scribbles down on notes that were later subpoenaed, ''Call CIA Bob.'' He called CIA Bob, he went around this government employee that was trying to keep government clean, to keep this international fugitive out of the White House and, sure enough, like a lot of other things that happened in 1996, it got murky and they did not listen to the people that were put there to be watchdogs for the White House, for the administration, for this government, for this city and for America. As a result, America suffered because of it.

Mr. COBURN. I will finish up with this. As I travel around my district, every time I encounter a teacher I ask them two questions. Is it the system that is the problem or the kids? If you could discipline in the classroom and you had the time, would our kids do better? Uniformly, every time, they say, I do not have the time to fill out the paperwork and teach the kids. I do not have the ability to instill the discipline in my classroom without the support of the structure of law to make it that I am not sued every time I try to control the environment in my classroom. So what we are really asking teachers to do is to teach with both arms tied behind them. We take half their time away filling out paperwork and then another third of their time trying to control discipline in a positive way that eliminates any ability for corporal punishment or significant absence of privileges if in fact you do not participate and behave. One of the things we have to do is dollars to the classroom. The block-granting of education programs have to go directly to the school districts. And individual school districts have to spend that money on the kids, on the teachers. The only other thing we can do is we can download the paperwork burden for our teachers, and that starts right here, by eliminating programs, eliminating departments so that paperwork is not generated in the first place. If we do that, we will see changes just like we saw in welfare reform. If we will start using a commonsense approach that is based on proper incentives and proper punishments when behaviors are not right, then we will see the kind of response in education that we all want from our public school system.

Mr. SCARBOROUGH. I thank the gentleman. And most importantly it will not be Washington making those decisions. It will be teachers and parents and principals who are going to be empowered for the first time in 40 years to make that decision. For the life of me, I really cannot figure out why my friends on the extreme left will not allow Washington to get out of the way and get those dollars to the classroom where they need it so desperately.

Mr. COBURN. I would just add one other thing. Somebody may think that I am one of those extreme conservative radicals. A father, a grandfather, I deliver babies on the weekend still. I love

children. But I also know if they do not have guidance and if they do not have discipline, they are going to be in trouble, and they desire that guidance. Do not ever kid yourself. They want to be disciplined in a way that will give them a future. It is natural that they would desire it.

Mr. SCARBOROUGH. I thank the gentleman from Oklahoma for coming and speaking with us today. He has certainly helped out. I yield to the gentleman from Indiana.

Mr. SOUDER. I thank the gentleman from Florida for yielding. It is once again really important to remind people why on a Sunday night we are here and not with our kids and families. There is nothing going on in the negotiations right now in the budget agreement that we did not know were going to be in the final conditions 12 months ago. There is no excuse that we are here. As I would like to point out again as I did earlier, the plain truth of the matter is many of us believe our leadership has negotiated too much away. In fact when they were kids, I bet they were the kind of kids who when they went trick-or-treating and they knocked on somebody's door and said trick-or-treat and the person came to the door, they probably gave the person candy out of their pumpkin. We have in effect surrendered much of what we fought for. The plain truth of the matter is that the President has a lot of leverage right now, but why would he not want to deal? Why given the fact that we have gone through these same points, we had a shutdown in 1995, we are down to the end here, we know what things we are going to debate over, human life, over the size of government, over national testing, over census, what could possibly be a motivation?

Well, one of the things that has been much talked about in this country is a movie called ''Wag the Dog.'' The dog, the tail wagging the dog, because of an allegation in that movie that because of a personal affair of the President he decided to start through a movie thing a war. Now, in this case clearly there is no war. I am not making any allegations that the movie in fact says anything about this President regarding that type of incident. But there is a legitimate question, is there a secondary motivation? Is there in fact a tail that wags a dog in this case where the tail says, in effect, I need a second show, I need to be able to say to the general public that there is another crisis that may take precedence over this crisis. And that in this case I think that there has been a pattern.

I want to go through, rather than talk about this President, I want to talk about a different President. I want to talk about Richard Nixon. There is a new book called Abuse of Power. Stanley Cutler has gone through the tapes which he fought through courts to try to have made public.

□ 2015

We do not have such tapes with this current President and probably given what has happened with the Nixon tapes we may not in future years. But there are some dramatic things on this that come across very similar to many of the things we have been hearing over the last few months, and I want to put some of these in the RECORD.

Number, point number one: Limiting the testimony, July 20, 1972, Bob Haldeman is talking to the President, quote, so they branded slow and temporary immunity, and he is going to cover what he knows about the Watergate stuff, which is nothing, and that gets him out of the thing. Now what they had planned to do is he was going to take the fifth, but this avoids his having to take the fifth, which is much better because he has no guilt, where under the Watergate thing he has some of the other. They just opened a new line of prosecution. We have seen that in limiting the testimony today too regarding some people in this administration.

Two: Limit the scope of the investigation. In 1972, Bob Haldeman again talking to the President: Petersen, the Justice Department, is working with that knowledge, directing the investigation along the channels that will not produce the kind of answers we do not want produced.

Now he also goes on to say that Petersen also feels that the fact that there were some lines in this case that ran to the White House is very beneficial because it slowed them down in pursuing things because they are all of the view that they do not want to indict the White House, they only want to indict the, they want to tighten up the case on that criminal act, Watergate, and limit it to the degree that they can. This is in fact exactly what the FBI director and Mr. LaBella who did the Justice Department investigation said in their memos to the Justice Department which is that the Attorney General had limited the investigation to narrow parts and would not broaden the investigation. That is in that memo that they will not release.

Number 3: We need to finish this investigation, no fishing expedition. We have been hearing that for 4 years now. On August 2, 1972, Bob Haldeman said this to Nixon. The Attorney General has ordered the director of the FBI to end the investigation. He said they have got all they need to wrap up their case that is on Watergate. The President: Do you think that is correct? Haldeman: Yes. Nixon said really it is over. Otherwise it is a fishing expedition. We have had enough of those. As the gentleman from Florida knows, we have heard over and over, fishing expedition, fishing expedition.

Number 4: Overstate the potential damage. This is in September now with the President, Haldeman and Colson. Haldeman goes on saying that you know there is a perverse theory that we walk through this this morning. We might be better off with the Watergate story. It is not doing us much harm. The President says, yes, not much. What I mean is the harm that is done when the reporters are in a hurry too much. Haldeman: That is right, but the difference also is that the indictments will be less than anticipated rather than more. The indictments do not, see they said all along if the indictments or guilt reaches into the upper levels of the Committee on the White House, then there is the problem, and they did not at this time, which is what we have been seeing here, limiting. You say it might be this bad, and then it comes in this bad, and everybody goes, oh well, that is a relief.

Number 5: Complaints about spending too much money on the investigation, something we hear constantly. September 15, 1972, 5:27 p.m., Nixon, Haldeman and Dean, John Dean says quote, the resources that have been spent against this whole investigation to date are really incredible. It is truly a larger investigation than was conducted against the after inquiry of the JFK assassination.

Number 6: Build up expectations so news is less damaging. Here it is Nixon and Colson, and they are talking about leaking false information through a friend in the media, that the spread is going to be 19 points over McGovern, and Nixon then says 27 points, and Colson says it will sandbag him, it will sandbag him, and Nixon says sandbag them always, that is right.

Number 7: Complain about press obsession, avoiding real issues, October 13, 1972, 7:26 p.m., Nixon and Colson. Nixon: They have to attack the press for its double standard. Colson: Yes, I think that is the only way. Nixon: And by making it an all-out assault on the press for their double standard and the rest and say now come on, you are going to report this campaign, let us report what is happening.

By the way, I have been going through this book, and last night I spent 3 hours because the more I heard this the more I thought this is what we hear in the Committee on Government Reform and Oversight all the time.

Mr. SCARBOROUGH. And you are right, it is, and you talk about the press. We have heard continued complaints about how the press is on a witch-hunt and that they are absolutely enraged that over 115 or over 120 newspapers have called for the President's resignation, and these are independent newspapers. The Philadelphia Inquirer, the Atlanta Constitution are not conservative journalists by any stretch of the imagination, but they have attacked the press as being on a witch-hunt, and the question is, I guess for a conservative, is why would the New York Times, why would the Washington Post, why would other newspapers question this President in the way they have? Why would newspapers like the Chicago Tribune, the Philadelphia Inquirer, the Atlanta Constitution, call for his resignation? And I

think what you have to come to a conclusion is that there are some people that take their job very seriously, and they have integrity, and that is the decision, the journalistic decision that they have come to, and yet they get attacked just like Ken Starr gets attacked, just like anybody that has ever sort of been caught in the President's headlights gets savagely attacked.

I read a news article about a former Miss America in fear for her life and her family's life, and we have seen the hit squads that are out there, and it is just regrettable.

Mr. SOUDER. Well, as I went through this I found I have gone through seven parallels, and I found 21 minimum.

Number 8: Take advantage of the public's belief the Presidents act logically. November 1, 1972, Nixon and Erlichman. Erlichman: We do not mind being called crooks, but not stupid crooks. Nixon: We know we will never convince them on our morality, but do they think we are that dumb?

9: What is is. It is incredible, history repeating itself. December 11, 1972—

Mr. SCARBOROUGH. And, excuse me, when you say what is is, you are referring to?

Mr. SOUDER. What the verb is.

Mr. SCARBOROUGH. What the President said in his testimony, it depends on what your definition of is is?

Mr. SOUDER. Yes, I am saying that there appears to be historical parallels.

Erlichman says the Watergate thing, I do not think there is anything to add what we have already said. Haldeman said you might re-say it. Erlichman: That nobody in the government did this thing. Haldeman: The White House. Nixon: What do you mean Watergate White House? Nobody currently in the government. Haldeman: Currently employed in the government, say currently employed. Nixon: Ever involved in the government. Erlichman: Now you have Liddy and Hunt who were at one time employed. Nixon: But while they were doing it even, while they were doing it? Erlichman: That is right. Then employed I can say. Nixon: No one who is an employee of the White House, who is an employee of the White House. Then he goes on. Erlichman says either at the time of the incidence or since. Nixon: Or since, that is what I mean, yes. Because in fact they were still employed but not at the White House. They were another branch of government. That is the precision of the is, that they had it down, that they were at the White House earlier, they are now in another branch of government, but if they said is in a certain way, it implied they weren't employed by the government.

Parallel Number 10: Everybody does a defense. January 2, 1973, Nixon and Colson. Nixon: Our democratic friends did a lot of things too and never got caught.

Number 11: This is just partisan politics. February 6, 1973, Haldeman says something we heard almost weekly. Haldeman: As we start into the Senate thing, which is that there is a dire threat to the two party system, because for the first time in our history we have one of the political parties using the machinery of government to investigate the other political party. He is trying to get them all stirred up. It is not going to make any difference, and he does not have any illusions that it will. He is just trying to make a case that this is a totally partisan thing.

12: Coordinate the witnesses. March 6, 1973, John Dean said, well, I think the most important thing for our handling the hearings are, one, any witnesses that go up are well prepared. You know, re-reading your speech on the Hiss case again showed how effective investigators can be if one witness does not know what the other witness or there is a dichotomy between the witnesses. I want to make a direct point here. I sat in on the deposition of Jane Sherborne, and she told us how they coordinated the White House witnesses both before and after.

Number 13: Conspiracy to commit perjury, Nixon and Haldeman. Haldeman: I said that that is a conspiracy to commit perjury even if Magruder did in fact later commit perjury or even at the time he was answering Dean's questions commit perjury. He said not if Dean advised him to tell the truth, and I said what if Dean did not advise him of anything. He said, okay, I take that back, but I will simply say to you that there was a conspiracy to commit perjury and there was a conspiracy to commit justice.

14:——

Mr. SCARBOROUGH. And if this can be the gentleman's last one? And if I can ask the gentleman if he can submit all of those into the RECORD, I think that will be helpful.

Mr. SOUDER. Okay, one I want to finish on then is the loyal secretary/scheduler, Nixon and Rosemary Woods. Two points, one Woods. He said says, well, I think he is too a nice man, referring to a man, but because of that fact is it even safe for me to talk on the phone? Nixon says, no, do not talk on the phone. Woods says I will call this girl today and say as soon as he gets back into town, say I need to see him. In other words, do not do it at the White House.

Then in another amazing parallel Nixon and Rosemary Woods, June 12, 1973. Nixon: You know, Rose, you know that money you got from that fellow? I would like to find a way to get that to the campaign committee. I do not know how it could be done. Woods: I am concerned. Who can hand it to them? Who can hand it to that does not have to say he has got it? It is safe and sound already. Nixon: Third parties. You never know when it is going to be investigated. Woods: But I do not think he would need it, but if so, it is out of the safe, it is in my home.

We have seen this over and over, and it is amazing parallel, and I will submit them all for the RECORD.

Mr. SCARBOROUGH. And I thank the gentleman, and I thank again Dr. Coburn and everybody else that has come to the floor today to debate the issues that affect Americans, to debate health care, to debate education, our firm belief that communities and teachers and parents should form the alliance to educate our children for the next generation instead of simply bureaucrats and politicians and Washington, D.C., to debate Social Security, to take pride in the fact that in just four short years we have put aside so much more to protect the solvency of the Social Security, especially when you consider that over 40 years our friends on the left did not put aside a single cent, to debate about other issues that have an impact on Americans like tax reform and tax relief for working class Americans.

I have been very surprised that over the past few years every time we try to present a tax cut that would help Americans, that would help lighten the load for parents who want to educate their children, every time we have tried to pass an educational reform that would get dollars into the classroom, every time we have tried to pass educational reforms, every time we have tried to guarantee children in the inner city of the District of Columbia south of Anacostia River and points north the same opportunity that so many people in this Chamber are able to give to their children, every single time it is met with a veto.

And so tonight on a Sunday night approaching 8:30 Eastern Daylight Time, we are here, we are ready to work. We would ask the President to hold his third Cabinet meeting of the year tomorrow and at that Cabinet meeting talk about education reform, talk about saving Social Security the way we have over the past several years, talk about continuing to balance the budget without spending $17.1 billion in new dollars that will be taken directly out of the Social Security Trust Fund. Let us talk about the issues that affect Americans instead of running around the country talking about fund-raising and also obsessing over a shutdown strategy that does not do my children or the President's children or America's children any good.

I again thank my friends for coming to the floor and speaking tonight, and I certainly hope that the President will stay in town, work hard and give us a process that every American can be proud of.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. MILLER of California) to revise and extend their remarks and include extraneous material:)

Mr. BONIOR, for 5 minutes, today.

Mr. MILLER of California, for 5 minutes, today.

Mr. DOGGETT, for 5 minutes, today.
Mr. FARR of California, for 5 minutes, today.
Ms. WOOLSEY, for 5 minutes, today.
Ms. PELOSI, for 5 minutes, today.
Mr. ADAM SMITH of Washington, for 5 minutes, today.
Mr. SANDLIN, for 5 minutes, today.
Mr. ROEMER, for 5 minutes, today.
Mr. CUMMINGS, for 5 minutes, today.
Ms. NORTON, for 5 minutes, today.
Mr. BECERRA, for 5 minutes, today.
Mr. BOYD, for 5 minutes, today.
Mr. CLEMENT, for 5 minutes, today.
Mr. GEJDENSON, for 5 minutes, today.
Mr. MCDERMOTT, for 5 minutes, today.
Mr. TURNER, for 5 minutes, today.
Mr. ABERCROMBIE, for 5 minutes, today.
Mr. GORDON, for 5 minutes, today.
Mrs. MINK of Hawaii, for 5 minutes, today.
Mr. WYNN, for 5 minutes, today.
Ms. LOFGREN, for 5 minutes, today.
Mr. LEWIS of Georgia, for 5 minutes, today.
Mr. GREEN, for 5 minutes, today.
Mr. DICKS, for 5 minutes, today.
Ms. DELAURO, for 60 minutes, today.
Mr. PALLONE, for 60 minutes, today.
(The following Members (at the request of Mr. TIAHRT) to revise and extend their remarks and include extraneous material:)
Mr. GOODLING, for 5 minutes, today.
Mr. BALLENGER, for 5 minutes, today.

BILLS AND A JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Oversight, reported that that committee did on the following dates present to the President, for his approval, bills and a joint resolution of the House of the following titles:

On October 10, 1998:

H.R. 3694. To authorize appropriations for fiscal year 1999 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

H.R. 3790. To require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the Library of Congress.

H.R. 4248. To authorize the use of receipts from the sale of the Migratory Bird Hunting and Conservation Stamps to promote additional stamp purchases.

H.R. 4194. Making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1999, and for other purposes.

On October 9, 1998:

H.J. Res. 133. Making further continuing appropriations for the fiscal year 1999, and for other purposes.

ADJOURNMENT

Mr. SCARBOROUGH. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8:30 p.m.), under its previous order, the House adjourned until tomorrow, Monday, October 12, 1998, at 12:30 p.m for morning hour debates.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of Rule X and clause 4 of Rule XXII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. SMITH of New Jersey:

H.R. 4805. A bill to require reports on travel of Executive branch officers and employees to international conferences, and for other purposes; to the Committee on International Relations.

By Mr. POMEROY:

H.R. 4806. A bill to authorize the carrying out of a flood damage reduction and recreation project at Grand Forks, North Dakota, and East Grand Forks, Minnesota; to the Committee on Transportation and Infrastructure.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 3710: Mr. FOX of Pennsylvania.
H.R. 4065: Mr. CALVERT.

EXTENSIONS OF REMARKS

HONORING SOLVAY POLYMERS, INC., AND SOLVAY INTEROX, INC.

HON. KEN BENTSEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 9, 1998

Mr. BENTSEN. Mr. Speaker, I rise to congratulate Solvay Polymers, Inc., and Solvay Interox, Inc., Battleground Road Plant Site, upon their selection by the La Porte/Bayshore Chamber of Commerce as the 1998 Industry of the Year. Solvay's commitment to building a better future for the La Porte/Bayshore community has made it an example all industry can follow.

Solvay Polymers and Solvay Interox are subsidiaries of Solvay America, Inc., a holding company for the Solvay Group, a multinational group of chemical and pharmaceutical companies headquartered in Brussels, Belgium, with operations in more than 40 countries. Some 600 employees and approximately 500 contractors work at the two companies' Battleground Road plant. Located on 274 acres, the plant in more than four decades has grown from a one-product site into the two businesses that manufacture a wide range of products.

In addition to being an integral part of the area economy, the two companies also contribute greatly to the community. Their employees participate in such organizations as La Porte's Local Emergency Planning Council, Citizens' Advisory Council, La Porte Education Foundation, La Porte/Bayshore Chamber of Commerce, and Boys and Girls Harbor. The employees contribute almost 5,000 volunteer hours annually to surrounding communities. The company's stated goal is for La Porte citizens to feel that the community is a better place because of their neighbors, Solvay Polymers and Solvay Interox.

Dedication to worker safety and environmental performance has also been a hallmark of the two companies. Their employees actively participate in the Chemical Manufacturers Association's Responsible Care program, which promotes continuous improvement of health, safety, and environmental performance. Through a pollution prevention and waste minimization program, the plant reduced emissions of government reportable waste compounds by 50 percent between 1987 and 1996. The site holds a charter membership in Clean Texas 2000, and employees are dedicated to demonstrating a high level of commitment to the continued safe operations of the plant, along with the safety of the surrounding community.

The Battleground Road plant has a significant history. Solvay's predecessor at the site, Celanese Corporation, started plastic production at the plant in 1957, making it one of the first sites to produce high-density polyethylene. Today, Solvay Polymers, the plastics company, annually produces 1.7 billion pounds of high-density polyethylene and nearly 800 million pounds of polypropylene at this site. This combined production level makes the site one of the world's largest plastic production facilities.

These plastics are used to make many products essential to everyday life. For example, high-density polyethylene is used to manufacture milk bottles, gas tanks, children's play toys, plastic bags, and liners. Polypropylene products include food containers for products such as ketchup and syrup, carpet backing, and children's products such as car seats and high chairs. The site's new polypropylene gas-phase line makes a special impact resistant polymer used to make automobile bumper fascias and other car parts.

The second company, Solvay Interox, produces more than 100 million pounds of hydrogen peroxide each year. This product is used in the pulp and paper industry as a wood pulp bleach and also has many environmental applications such as wastewater treatment and cleanup of contaminated soil. The company's high purity hydrogen peroxide is used as a cleaning and etching agent in the semiconductor industry. The site also produces persalts (percarbonates and perborates), which are used as color-safe brightener/deodorizers for fabric detergents.

Mr. Speaker, I congratulate Solvay Polymers, Inc., and Solvay Interox, Inc., on being named the La Porte/Bayshore Chamber of Commerce 1998 Industry of the Year. This honor is well deserved for their work in expanding business and job opportunities, producing products vital to our everyday lives, their commitment to environmental protection and worker safety, and their many contributions to the community.

IN HONOR OF THE 100TH ANNIVERSARY OF THE FRANK E. CAMPBELL BURIAL AND CREMATION COMPANY

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 9, 1998

Mrs. MALONEY of New York. Mr. Speaker, I rise today to pay tribute to the Frank E. Campbell Burial and Cremation Company on the occasion of its centennial anniversary. On Wednesday, October 21, Cardinal John O'Connor will be a special guest at Frank E. Campbell's 100th anniversary celebration.

In 1898, when Frank E. Campbell first opened the doors of his funeral home, he revolutionized the way people thought about funeral service. In the late nineteenth century, most funerals were conducted in private homes. But since a majority of New York City residents were living in apartments by this time, they did not have the capacity to handle large events.

Frank Campbell also understood the need of families to have time to grieve for their loved ones. By transferring the burden of planning a funeral from the families to a funeral home, Campbell eased the time of mourning.

Frank Campbell's funeral home combines a peaceful and serene atmosphere with an attentive and courteous staff. Over the past one hundred years, the Frank E. Campbell Burial and Cremation Company has served families from every strata of society including royalty of many nations and members of the arts and entertainment world. Frank Campbell's makes a concerted effort to honor the individual in the style in which he or she lived.

Over the past century, Frank E. Campbell has become a landmark on the Upper East Side of Manhattan.

Mr. Speaker, I am honored to bring to your attention the Frank E. Campbell Burial and Cremation Company as it celebrates 100 years of serving New Yorkers in their times of grief.

RAILROAD ECONOMIC REGULATION

HON. SPENCER BACHUS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 9, 1998

Mr. BACHUS. Mr. Speaker, Dr. Alfred E. Kahn, the noted economist and ''father of deregulation,'' has rightly earned our gratitude for his work over the years. With all due respect, however, Dr. Kahn is doing himself and his many admirers a disservice in his continued calls for increased economic regulation of the freight railroad industry in this country.

Dr. Kahn testified on April 22, 1998, before the Subcommittee on Railroads of the Committee on Transportation and Infrastructure. At that hearing, he testified at length on his perception of anti-competitive conduct by the rail industry and his suggestions on steps that should be taken to alleviate such conduct. Dr. Kahn has repeated his viewpoints at other times and in other venues in recent months, including testimony to the Surface Transportation Board. Most recently, an interview with Dr. Kahn was the basis for an article in the October 5, 1998 issue of Traffic World. In that interview, Dr. Kahn continues to advocate misguided railroad reregulation.

At the April 22, 1998 hearing at which I was present and engaged in considerable discourse with proponents of reregulation, Dr. Kahn was challenged by a number of experts in railroad economics and finance. In my opinion, his pronouncements were inconsistent with operating and marketplace realities. I respectfully submit he likewise errs on a number of points in the recent Traffic World article, including the following:

Dr. Kahn's basic premise is that service by a single railroad is equivalent to monopolization and that competition does not now exist for shippers. To the contrary, railroads face intense competition from other railroads, from other modes such as trucks and barges, and from other sources for the vast majority of their traffic. Shippers of all types, including those which are served by only one railroad,

almost always have ways to obtain competitive transportation. And because of this competition, rail customers exert meaningful power in negotiating railroad rates and services.

In those relatively few cases wherein shippers do not have effective transportation options, existing maximum rate regulation protects shippers form egregious railroad rates. In two recent cases, for example, two utilities were awarded millions of dollars in reparations by the STB because they were deemed to have been charged unreasonably high rates by the railroads that served them. In response to criticisms by Dr. Kahn and others that rate reasonableness case procedures were cumbersome, lengthy and expensive, expedited procedures for small shipper cases were recently implemented by the STB, though shippers have not taken advantage of them to date.

Dr. Kahn is wrong in dismissing the likelihood of reduced investment in rail infrastructure if mandated access forces rates too low. Under forced access, railroads would be unable to recoup the full costs of their investment in their infrastructure.

Without the ability to cover total costs, railroads would be unable to maintain or increase their investment commitment. This would lead to deterioration and/or shrinkage of the national rail system and reduced service levels. Given the vital importance of transportation to the national and global economies, this is the last thing the national transportation system needs.

Dr. Kahn is wrong in claiming that ''structural remedies'' such as mandated competitive access would assure rail-to-rail competition and permit market forces to determine rate and service levels. In fact, under a system of forced access, government bureaucrats would have to regulate anew an incredible variety of price and operational decisions, creating a system of economic regulation that would be far more costly and pervasive—and far less effective—than the current system.

Proponents of mandated access, like Dr. Kahn, essentially advocate that freight railroads should be regulated on the basis of how many railroads serve an individual shipper, rather than on the presence or absence of competition. They propose that access to a railroad's privately owned and maintained infrastructure by its competitors should be mandated, and that the fees for access should be set by regulation, not by competitive market forces. This uneconomical reregulation of freight railroads is an attempt to gain short-term rate reductions for some shippers, at the expense of other rail customers, railroad investors and society in general.

Deregulation of the U.S. railroad industry has led to tens of billions of dollars in savings since 1980 to shippers and, ultimately, to all of us. It would be a tragedy of enormous proportions to jettison these gains in favor of cleverly disguised regulation that has failed in the past and would fail again.

A TRIBUTE TO THE LATE MAYOR, ANTHONY E. O'BLOCK

HON. RON KLINK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 9, 1998

Mr. KLINK. Mr. Speaker, I rise today to honor the memory of Anthony O'Block, the distinguished and memorable first Mayor of Plum Borough. In his thirty years of service, Mayor O'Block, through his extraordinary commitment and diligence, placed the needs of his community front and center. He immigrated as a small child to the United States from Slovenia and settled in Plum.

His early life in Plum was extremely modest, yet in the spirit of the American dream, he established his own construction company, presided over the successful People's Bank of Unity, and was one of the most respected figures in Pennsylvania Democratic politics. Despite his successes, he never forgot his roots, his family, or his neighbors throughout the borough. His love for his community led him to tirelessly focus on the needs of others and of the entire borough. During his tenure, Plum Borough gained recognition as a prosperous community, both for businesses and for families.

Through his contributions to the growth and the development of the Plum community, he expanded social and community services, attracted business investment, and made the Borough a truly exceptional place in which to live. All this was accomplished while keeping taxes at an all time low, a truly remarkable task.

Mr. Speaker, I once again urge my colleagues to rise in tribute to Mayor Anthony E. O'Block. Mayor O'Block honored his family, his friends, and his community. He will forever be remembered as a friend and mentor to so many people. He will truly be missed.

TRIBUTE TO DR. ANTHONY S. LENZO

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 9, 1998

Mr. VISCLOSKY. Mr. Speaker, it is with great pleasure that I rise before you to congratulate one of Northwest Indiana's most noble, selfless, and dedicated individuals: Dr. Anthony S. Lenzo, of Crown Point, Indiana. On October 11, 1998, Dr. Lenzo will be honored by the Cesare Battisti Lodge #27, as this year's Member of the Year. In addition to his many years of service to the Lodge, he is being honored for his tireless efforts as a community leader.

The Cesare Battisti Lodge #27 has been honoring its most dedicated members since 1966. A lifelong member of the organization, Dr. Lenzo serves as an excellent role model for both members of the Cesare Battisti Lodge, and for the people of Indiana's First Congressional District. Not only has he maintained a lifelong membership with Lodge #27, Dr. Lenzo has been a lifelong leader of the Lodge. He is currently the financial secretary and the editor of the Lodge newspaper. As Walter Lippman said, ''The final test of a leader is that he leaves behind him in other men the conviction and the will to carry on.'' Dr. Lenzo's efforts in the community, in addition to his nationwide efforts for peace, have certainly inaugurated an enduring legacy. For many years, he has worked to have the United Nations designate a ''Weekend of Prayer, Meditation, and Thought on the Futility of War and the Desperate Need for Peace in the World.'' In his own words, ''It will be a thankful day when we can once again live in peace . . . peace in the world, peace within our nations, peace in our neighborhoods, peace in our streets.''

Since he began his campaign for peace, Dr. Lenzo has met with great success. He has received positive responses from former Secretary-General of the United Nations Boutros-Boutros Ghali, Pope John Paul II, and Elizabeth Taylor. Nearly all who hear Dr. Lenzo's plea for peace commend him on his campaign. I also commend Dr. Lenzo for his activism, leadership, and ardent dedication to a noble cause. This campaign is as poignant now as it was in January 1991 when I first called your attention to it. As members of NATO stand poised to initiate air strikes in Kosovo and Serbia, Dr. Lenzo's works remind us of the gravity of the actions they contemplate. As options are considered, his message to these nations is to keep the goal of peace in sight. Dr. Lenzo's suggestion that we step back and remember to whom we are accountable is as important now as it was then.

Mr. Speaker, Dr. Tony Lenzo is an inspiration to us all. I ask that you and my distinguished colleagues join me in commending Dr. Lenzo for not only his award as Cesare Battisti Lodge #27's Member of the Year, but also for his extraordinary campaign for world peace. His superhuman efforts and selfless dedication are an example for every citizen of the United States to emulate. Northwest Indiana is lucky indeed to have such a resident.

IN HONOR OF THE ATHENIANS FEDERATION OF ATHENS CELEBRATION OF THE LIBERATION OF ATHENS

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 9, 1998

Mrs. MALONEY of New York. Mr. Speaker, I rise today to pay tribute to the Athenian Federation of the United States of America and Canada. The Association is organizing the twentieth Archieratical Tedeum to commemorate the Liberation of Athens from the Nazis 54 years ago.

The official Archieratical Tedeum will be held at the Greek Orthodox Church Cathedral in New York City on Sunday, October 11, in the presence of the Consular, officials of the Greek community, Greek organizations and members of the Greek community.

The Tedeum commemorates the Liberation of Athens from Nazi occupation by the Allied Forces on October 12, 1944.

On April 27, 1943, Nazi tanks entered Athens as the remnants of the British forces evacuated Greece. The citizens of Athens lived under the siege of Nazi terror and occupation for three and a half years until liberation when the Allied Forces hoisted a Greek flag on the holy rock of Acropolis, signaling the end of the occupation. The Greek flag replaced the flag of the Nazi regime which hung over the Acropolis of Athens throughout the occupation.

The anniversary of the liberation is celebrated annually in Athens and amongst Greek communities here in the United States.

Mr. Speaker, I am honored to bring to your attention this important anniversary in the history of Greece, Greek citizens, and Greek-

Americans. The Athenian Federation of U.S.A. and Canada makes a remarkable effort to keep the spirit of freedom alive with their annual Archieratical Tedeum. I am proud to have such a strong Greek community in my district and an organization such as the Athenians Federation of U.S.A. and Canada to promote issues of importance to this wonderful community.

THE PLIGHT OF THE MONTAGNARDS

HON. BOB ETHERIDGE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 9, 1998

Mr. ETHERIDGE. Mr. Speaker, I rise today to bring the attention of the Congress to the Montagnard refugees from the Central Highlands of Vietnam.

The Montagnards were loyal allies of American Special Forces and served bravely with our U.S. military troops during the Vietnam War. Montagnards have suffered terribly in Vietnam for their religious and political beliefs at the hands of the Vietnamese Communists and they continue to suffer. I strongly support human rights and strongly oppose persecution throughout the world; values at the heart of our faiths and our American democracy.

Since 1986, my state of North Carolina has been privileged to receive several hundred Montagnard refugees from the Central Highlands of Vietnam. There are over one thousand Montagnards who now live in Greensboro, Raleigh, and Charlotte, thanks to the hard work and compassion of people of faith and human rights activists such as Lutheran Family Services of North Carolina. The Department of State has called the resettlement of this new immigrant community one of the most successful resettlement programs in the United States.

The Montagnards have become U.S. citizens, they enrich our nation, they are productive, proud people who love freedom and the chance for survival that this nation has offered them. The Montagnards stood by our nation and now we should do all we can to insure that their family members are allowed to emigrate from Vietnam.

I am encouraged by the emphasis Ambassador ''Pete'' Peterson, himself a former Vietnam Prisoner of War and Member of Congress, has promised to place on the plight of the Montagnards. Our nation must strengthen its efforts in gaining measurable Vietnamese cooperation in processing applications for emigration under the Orderly Departure Program (ODP) and the Resettlement Opportunity for Vietnamese Returnees agreement (ROVR). We should expect and demand progress on all of the Montagnard cases. These families have waited too long to be reunited with loved ones.

IN HONOR OF MORT MEYERS

HON. PETER DEUTSCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 9, 1998

Mr. DEUTSCH. Mr. Speaker, I rise today to honor Mort Meyers, as he will soon be receiving the Humanitarian of the Year award from the David Posnack Jewish Community Center in Davie, Florida. Mort's record of public service on behalf of the people of South Florida is truly impressive and deserving of this formal recognition.

Born in Detroit, Mort moved to Florida after his brother Dennis took up residence in Miramar. After a series of sales jobs, Mort bought a coffee shop on Hollywood's City Hall Circle, where he and his wife Ethyl spoiled their customers rotten. Even Mort's mother Gussie became involved, making her signature cakes and pastries that are now known as ''Gussie's Goodies.''

TImes change, and so did the Meyers family. Mort and his brother Dennis joined their father in a surplus electronics and hardware venture. After some rough times early on, the family ultimately achieved a great deal of success. Today, Mort is involved with the family business—Arco Distributors in Davie, Florida—selling industrial adhesives, electronic components, and point of sale equipment. However, Mort's devotion to his business is only part of his story.

Over the past 29 years since Mort Meyers arrived in Florida, the community has benefited greatly due to Mort's presence. A Founding Member of the Davie Coalition of Condos and Homeowners Associations, he has served on the Davie Economic Development Council, the Davie/Cooper City Chamber of Commerce's Economic Development Committee, the Davie Budget Committee, and the Davie Visions 2000 Committee. In addition, Mort was Vice President of the Davie Democratic Club and chairman of the South Broward Park District. Mort also served with distinction on the Jewish Federation of Broward County's Board of Directors.

Much of Mort's time over the past 10 years has been devoted to his involvement at the David Posnack Jewish Community Center. The award that the Center is bestowing on Mort Meyers is surely a reflection of his dedication and hard work. He has been involved with the Center since the dedication of its land site—serving on committees, donating money for camps or program scholarships, maintaining the building itself, and more.

Mr. Speaker, all who know him or know of him will surely agree that Mort Meyers is an extraordinary individual. With his impending acceptance of the Humanitarian of the Year award from the David Posnack Jewish Community Center, I wish to convey a heartfelt congratulations and many thanks to him for his work benefiting the entire South Florida community.

WORLD POPULATION AWARENESS WEEK

HON. CONSTANCE A. MORELLA

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, October 9, 1998

Mrs. MORELLA. Mr. Speaker, in my capacity as Co-Chair of the Congressional Coalition on Population and Development, and on behalf of my fellow Co-Chair, Congressman SAWYER, I would like to share with our colleagues the following proclamation, endorsed by 19 of our colleagues, regarding World Population Awareness Week:

WORLD POPULATION AWARENESS WEEK

World population stands today at more than 5.9 billion and increases by more than 80 million per year, with virtually all of this growth in the least developed countries.

A total of 1.3 billion people—more than the combined population of Europe and North Africa—live in absolute poverty on the equivalent of one U.S. dollar or less a day; 1.5 billion people—nearly one-quarter of the world's population—lack an adequate supply of clean drinking water or sanitation; more than 840 million people—one-fifth of the entire population of the developing world—are hungry or malnourished.

Demographic studies and surveys indicate that in the developing world there are at least 120 million married women—and a large but undefined number of unmarried women—who want more control over their ferility but lack access to family planning. This unmet need for family planning is projected to result in 1.2 billion unintended births.

The 1994 International Conference on Population and Development in Cairo determined that a combination of political commitment and appropriate programs designed to provide universal access to voluntary family planning information, education and services can ensure world population stabilization at 8 billion or less rather than 12 billion or more.

We, the following members of the United States House of Representatives are pleased to support the week of October 24–31, 1998 as World Population Awareness Week, and urge all citizens to take cognizance of this event and to participate appropriately in its observation.

Constance A. Morella, Thomas C. Sawyer, Brad Sherman, Sam Gejdenson, Karen McCarthy, Lloyd Doggett, James P. McGovern, Elizabeth Furse, Maurice D. Hinchey, John Lewis, George E. Brown, Jr., Marcy Kaptur, Jim McDermott, Martin Frost, David E. Price, Benjamin A. Gilman, Nita M. Lowey, Carolyn B. Maloney, Tom Lantos.

AUTHORIZING THE COMMITTEE ON THE JUDICIARY TO INVESTIGATE WHETHER SUFFICIENT GROUNDS EXIST FOR THE IMPEACHMENT OF WILLIAM JEFFERSON CLINTON, PRESIDENT OF THE UNITED STATES

SPEECH OF

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 8, 1998

Mr. STOKES. Mr. Speaker, I rise in opposition to the Hyde impeachment inquiry resolution. This is a sad day in the history of our Nation when the majority in Congress continues to search for an impeachable crime—in its ongoing political mission—to destroy the President of the United States.

While the American people do not condone the behavior of the President, they do want him to have a fair hearing. The excessive investigation of President Clinton has gone too far, and has gone on far too long.

What is needed is a fair, common sense and responsible inquiry not a continuing witch hunt. The American people and the President and his family deserve better.

So, Mr. Speaker, the matter at hand is not about whether to proceed with an impeachment inquiry. It is about how we should proceed. We must first consider the constitutional

standard for such. For the sake of the American people and the Clinton family, this inquiry must be done fairly and concluded quickly.

I am concerned that the majority unilaterally announced at a recent news conference that they intended to ask for an inquiry of impeachment before considering the constitutional standard for the impeachment of a President. We must begin with a consideration of the constitutional standard for impeachment, a comparison of the allegations with the standard, and an examination of the sufficiency of the evidence, before any vote is taken on conducting formal inquiry proceedings.

I firmly believe that we must rise above all partisan and political differences. Therefore, it is imperative that the Congress and the American people proceed with due caution and appropriate fairness to President Clinton and his family without allowing philosophical differences to divide us. President Clinton has led our country well, and like any other American citizen he has a right to due process.

As such, whatever our personal beliefs may be, we must work together to ensure that President Clinton is not denied that right. That responsibility rests with each of us individually and collectively.

Mr. Speaker, I ask my colleagues to oppose the Hyde impeachment inquiry resolution.

COMMENDING GARY AND IRIS GREENBAUM

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 9, 1998

Mr. VISCLOSKY. Mr. Speaker, it is my distinct honor to commend two of Northwest Indiana's most distinguished citizens, Gary and Iris Greenbaum, of Munster, Indiana. On November 1, 1998, Gary and Iris will be honored for their exemplary and dedicated service to our community and to the State of Israel. Their praiseworthy efforts will be recognized at the Northwest Indiana-Israel Dinner of State, as they receive the 1998 Israel Builders of Freedom Award. The Freedom Builder Awards are given each year to worthy recipients who demonstrate their dedication and service to Israel, the State of Israel Bonds, the Jewish community, and our own community. The Greenbaums are most certainly worthy recipients of this year's award. True community activists, Gary and Iris give much of their time to local charities and service organizations. These community groups include the Munster Citizens Police Commission, the Northwest Indiana Jewish Welfare Federation, the Gleaner Food Depository, Temple Israel, Congregation Beth Israel, and the local Jewish Federation.

Gary and Iris, longtime residents of Munster, hale from Gary and Chicago, respectively. After both graduated from Indiana University, they returned to Gary's native region, Northwest Indiana, and have made our area their permanent home. In 1971, Gary started his career as an insurance agent. After a few years gaining quality experience, in 1976 he founded the Greenbaum Insurance Agency, located in Griffith, Indiana; Iris also works for the Agency as its most important unpaid worker in her dual role as office manager and insurance agent. Gary and Iris are the parents of two sons, Jason and Evan, of whom they are immensely proud. Both Gary and Iris have their own interests outside of work and their dedicated community activities. Gary is an antique automobile buff, and Iris is a master gardener; both enjoy traveling together. They plan on continuing their charity and community work, in addition to providing affordable, local insurance services to Northwest Indiana residents.

In the words of Gary himself, ''I believe every Jew has the solemn responsibility to safeguard his brothers from oppression by helping to guarantee that Israel exists as a haven where any Jew can choose his own destiny.'' As America has served as a haven of freedom and opportunity for immigrants the world over, so her citizens now reach out and ensure that the freedom-loving peoples of the world are safe and secure. To quote Thomas Paine, ''Those who expect to reap the blessings of freedom, must, like men, undergo the fatigues of supporting it.'' No one is more deserving of the opportunity and freedom guaranteed by America than Gary and Iris Greenbaum; their efforts have truly gone above and beyond the call of duty.

Mr. Speaker, I ask that you and my other distinguished colleagues join me in congratulating Gary and Iris Greenbaum for receiving the 1998 Israel Builders of Freedom Award. Their dedicated service to both the State of Israel and our Northwest Indiana community is commendable and admirable. No government, leader, or military can safeguard the twin blessings of freedom and opportunity without the labors of dedicated, conscientious citizens. With their support, our world has become a better place, a place of freedom, democracy, and opportunity. Indiana's First Congressional District is proud to count two such dedicated, conscientious citizens, Gary and Iris Greenbaum, among her residents.

TRIBUTE IN MEMORY OF JUDGE MARSHALL CRAIG

HON. JO ANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, October 9, 1998

Mrs. EMERSON. Mr. Speaker, I would like to take this opportunity to eulogize a great man who lived in my Congressional District in Sikeston, MO. Judge Marshall Craig died on August 31, 1998, at the age of 91. As an editorial in the local newspaper written by Mike Jensen stated ''Judge Marshall Graig was in a league of his own. Universally respected and genuinely admired by all of those who knew him . . . he leaves a legacy of community involvement, professional accomplishment and unparalleled admiration. We will likely not see another of his caliber come along for many years.''

Judge Craig was born on February 10, 1907, near Hickman Mills in Jackson County, MO, to the late Robert Lee and Theodocia Cowherd Craig. He graduated from high school in Columbia, MO, in 1926, from the University of Missiouri-Columbia in 1930, and from the University Missouri Law School in 1932. He played basketball for the Missouri Tigers, leading his team to the Big-Six Championship in 1930, as the team captain. He was selected to the First Team All-conference squad that same year.

Craig was an assistant U.S. Attorney in St. Louis, and later served as prosecuting attorney in Mississippi County. He served his country in the U.S. Army during World War II, prior to moving to Sikeston and joining the Bailey Law Firm as a partner. He served four terms as Circuit Judge and was then appointed as the first senior judge in the state of Missouri.

Judge Craig loved his family, church and community and took an active role in every organization he deemed important . . . and they were many. He received almost every honor and award that existed in Sikeston. In Mr. Jenson's editorial he stated, ''If you wanted instant credibility on any board or for any issue or cause, the first name to surface was Marshall Craig. His reputation brought that degree of authority and respect. To many of us, if Marshall Craig thought it was a good idea, that was good enough for us.''

Judge Craig also had a profound effect on a member of my staff when he presided over the adoption proceedings of my Executive Assistant, Kacky Garner, when C.W. and Lucille Martin adopted her. Kacky has related to me that Judge Graig often told her that having been involved in her adoption and then watching her grow to adulthood in that happy home was one of the nicest and most rewarding things he ever got to do as a Judge.

One son, Michael H. Craig of Memphis, TN, one daughter, Nancy McMahon of Sikeston; four grandchildren and four great-grandchildren survive Judge Craig. His wisdom, strength of character, and faith will never be forgotten by all those who knew and respected him. He was truly a great American.

DYSTONIA AWARENESS WEEK

HON. RON PACKARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 9, 1998

Mr. PACKARD. Mr. Speaker, I rise today to recognize Dystonia Awareness Week, October 11–18, 1998. This important occasion was brought to my attention by my constituent, Mr. Robert W. McCabe of Vista, California.

Dystonia is the third most common movement disorders after Parkinson's Disease and Tremor, affecting over 300,000 people in North America alone. Dystonia is a neurological disorder causing involuntary spasms that are disabling and often extremely painful.

The American public knows little about dystonia, and many people react to its physical manifestations by avoiding those who suffer from the disorder. Greater recognition and understanding of dystonia is much-needed in both the medical and lay communities. I urge all citizens to learn more about this disorder and to support those who are affected by it.

There is no cure for dystonia at this time. In 1997, however, the gene for early-onset generalized dystonia was discovered, offering hope for future research and development of a possible cure. I would like to add my name to the list of supporters of dystonia research and encourage every Member of Congress to do the same.

In conclusion, Mr. Speaker, I invite my colleagues to join me in recognizing October 11–18, 1998 as Dystonia Awareness Week.

A TRIBUTE TO HENRY OTIS BARBOUR

HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 9, 1998

Mr. MURTHA. Mr. Speaker, I rise today to pay tribute to Henry Otis Barbour, a long-time employee of Army Navy Country Club, who passed away suddenly on August 23, 1998. Otis, as all the members at the club affectionately called him, was the sixth of ten children born to the late Richard and Helen Barbour.

He was educated in the public school systems of Arlington County, Virginia and Washington D.C. When he was nine years old he began frequenting Army Navy Country Club retrieving golf balls in order to make a little spending money. He continued this practice until he was offered a permanent position at the club.

In every successful organization there are one or two individuals that directly contribute to its success; Otis was one of those special people. For forty-four years he mastered nearly all the support services of the golf course—from caddying, to maintaining the range, to servicing and maintaining more than 90 golf carts, to helping members understand the intricacies of the golf swing. Many have said that Otis knew more about the golf swing than all the golf professionals at Army Navy Country Club combined. When you arrived at the club, be it rain or shine, summer or winter you could always count on being greeted by a tip of the hat from Otis.

In the truest sense of the word—he was a gentleman—who generously shared what he had with all he encountered.

The members of Army Navy Country Club can consider themselves fortunate to have known Otis, and worse off for having lost him at such a young age.

To all his relatives I send my condolences. Otis you will be missed but never forgotten.

SPEECH GIVEN BY BEZALEL BRIAN BENSON FOR THE DISABLED AMERICAN VETERANS AUXILIARY STATE CONVENTION

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 9, 1998

Ms. LEE. Mr. Speaker, I call your attention to the work of the Disabled American Veterans Auxiliary (DAVA), Oakland Unit No. 7 with students in my community. We are particularly proud of the speech that twelve year old Bezalel Brian Benson delivered at the annual Americanism program held February 14, 1998. The inspiring quality of this speech moves me to share it with you.

Bez, as he is called, is an outstanding student at St. Joseph's Elementary School. He came to the attention of DAVA because of two essays which won first place in the DAVA State contests held in 1997 and 1998 entitled: "Why I Love America" and "What the Flag Means To Me." The following is the text of his speech of February 14th:

Good afternoon. To the California State Senior Vice Commander Donna Stennett, junior State Commander Evonne Oden, Acting Commander of the Auxiliary for Unit #7 Pat Kinzel, Co-chairman Gloria Almodovar; Members of the Auxiliary and honored guests.

It is a blessing to be here this afternoon. It was an honor to win the overall contest of the district last year, and to win first place in the California State Disabled American Veterans Essay Contest. I was also blessed with receiving a personal letter from the President of the United States, President Bill Clinton, a flag flown over our nation's Capitol, and a letter of authenticity.

Over the last year, I have maintained my status as an "A" student, I was appointed to the journalism team at St. Joseph Elementary School, and again made it to the school's spelling bee finals. Because of God's blessings and freedom of our nation, these achievements were made possible.

At this time I would like to talk about why we should show appreciation through our actions for the war veteran's tremendous efforts.

After learning about the history of America throughout my life, I have realized just how much effort, courage, and bravery it took to make America a free country and a great one as well.

Over the years Americans have sacrificed for what they believed in. The 13 colonies in North America sacrificed by bravely rebelling against England and going through many hardships and conflicts. They did this for the cause of freedom. The war veterans, the government of the United States, and even U.S. citizens sacrificed during both World War I and World War II, the Korean War, the Vietnam War, and even the war on Bosnia. They did this because they believed in fighting for people's rights and the gift of freedom. Change often comes by sacrifice and that is what Americans have done.

After imaging how I would have felt participating in a war, I realized that times were pretty scary. It must have been hard having bullets whizzing past your head, and the ground shaking beneath your feet because of cannon fire. It must have been hard running on the battlefield, dodging bullets, with explosions all around you. It must have been hard living every day with the fear of death, and not knowing if you will ever see your families again.

Yet these war veterans who stood up to their country succeeded during these hardships because they had strength from God and a strong love for America.

When you have God in your life, and you love Him truly and honestly, and you call upon Him for guidance, you will have an inner strength that no person or thing can take away from you. A strength so powerful, that not even the fear of death can destroy it. I'm sure that these war veterans had strength from God and a strong love for America.

Because of the veterans' efforts in these wars, they helped America become one of the greatest countries on the face of the earth. Because of their love and sacrifice we live in a nation today that is governed by a fair and democratic government. Because of their efforts they helped protect not only the rights of Americans over the years, but the rights of other people throughout the world as well.

I believe that all Americans should show appreciation for the veterans' tremendous effort. We must realize that many people died for us! We must realize that someone lost an arm, or lost their legs for the sake of our freedom. So don't you think that we should do our part, and give something back to them, by helping to make America the best country it can be? Our veterans fought and died for America, so shouldn't we take care of the country they loved, and continue to make it a better place for all of us? If we don't, we will literally ruin and destroy our country, and all the efforts of our war veterans will be wasted. One person cannot make America a great country. But if we all try to be the best Christians we can be, America will continue to be a wonderful nation.

If we do this, then the 12,000 Americans who died for us in World War II alone would have died to make America a great country and not for any reason at all. If we do this, then the men and women who died for our freedom, the men that lost their limbs, the families whose men and women became widows, the children who would never see their parents again will know that they fought for a worthy cause. If we do this, America, will continue to be a great nation, and the war veterans' efforts will not be wasted.

As Americans we must follow the example of the war veterans. In our everyday lives, we must show bravery, courage, and effort through our actions, whether it is in the work force, taking care of a child, or trying to make people's lives better through science and technology. We must take care of the standards of living that the war veterans helped to give us.

If all the people in this diverse culture act in a superb manner everyday, then our country will be superb as well. That is why I would like to be the very best person I can be. I would like to follow the example of the war veterans, and give something back to these courageous fighters.

I and many other youth my age will try to do our best to continue to carry the torch for freedom. We should and we will have God as the guidance of our lives as we try to lead the United States into the 21st century.

With God as my leader, I will try to walk on the roads of life with the Holy Spirit as my light and I will try to use the lessons that the war veterans have taught me to overcome life's obstacles and challenges. The war veterans have made a tremendous impact on all our lives, and all of us as Americans must continue to carry the touch of freedom.

I would like to thank you for inviting me here today, and I praise the Lord for allowing me to live in a country I love, the United States of America.

OPEN COMPETITION FOR THE U.S. WIRELESS TELECOMMUNICATIONS INDUSTRY

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 9, 1998

Mr. CRANE. Mr. Speaker, on behalf of myself, as chairman of the Ways and Means Trade Subcommittee, and my distinguished colleague and ranking member of the Subcommittee, ROBERT MATSUI, I rise today to inform my colleagues of a critically important telecommunications trade issue. While companies from around the world are busy developing innovative new wireless telecommunications devices, potentially serious roadblocks to the free trade of these products are being erected in the form of exclusionary standards.

The European Union (EU) is on the verge of adopting legislation that would mandate the use of exclusionary third generation wireless standards incompatible with existing American-developed telecommunications equipment and systems. If this measure were adopted, all other technologies, specifically American-developed technology, would be blocked from competing in Europe as a matter of law.

In addition, the European Telecommunications Standards Institute (ETSI) recently adopted a single third generation wireless standard, Wideband CDMA (W–CDMA), and has submitted this one standard to the International Telecommunications Union (ITU) for approval. This is an inappropriate role for Europe's regulators: picking winners by administrative fiat. That is the role of the marketplace.

These regulations will harm the United States in numerous ways. American jobs will be lost, American-developed telecommunications products and services will quickly become obsolete, and billions of dollars of American investment that built telecommunications networks will be kept out of Europe's vast marketplace. It should be noted that no such arbitrary rules prevent European developed technologies from competing for customers in the American market. Further, the EU's actions in this regard run directly counter to the laudable trade liberalization goals contained in the Transatlantic Economic Partnership (TEP)—a recently announced initiative between the EU and the United States.

In response to a recent inquiry made by Mr. MATSUI regarding this issue, U.S. Trade Representative Charlene Barshefsky stated that the administration would actively monitor the EU's commitment to transparent and non-trade distorting standards, including the possible use of the World Trade Organization dispute settlement procedures.

Congressman MATSUI and I are concerned that the same problem may emerge in Japan. Japan is also considering a new wireless telecommunications standard and could adopt an identical exclusionary standard as Europe, which could have the same effect in disadvantaging U.S. suppliers.

Such actions by Japan and Europe threaten to disrupt the fair and objective evaluation of telecommunications standards currently underway at the International Telecommunications Union (ITU). If countries prematurely adopt standards and make them mandatory before the ITU has fully evaluated different proposals and had a chance to encourage harmonization, then a valuable opportunity to ensure fairness and consideration of global needs will have been lost.

In the Americas, we have tried to build a consensus on how to approach the development of wireless standards through the Inter-American Telecommunication Commission (CITEL). On September 18, a CITEL resolution was adopted to guide member states participating in the ITU standards process. The guidelines were designed to ensure that the standards selection process does not adversely affect users and suppliers of existing wireless networks based on U.S. technology, which must incorporate a new standard to provide advanced services. The United States strongly endorsed these principles and on September 30, formally asked Japan to adopt similar principles as it considers its new wireless standards.

As the representatives of the Ways and Means Trade Subcommittee, Mr. MATSUI and I urge our colleagues to insist that the telecommunication markets in Europe and Japan open themselves to American innovation, in the same manner that American markets are open to foreign competition.

We anticipate that this issue will be an important one for the 106th Congress. The Congress, together with Office of the United States Trade Representative, will vigorously monitor this important trade issue, ensuring that the worldwide market in this rapidly emerging technology is open for American-developed technologies and standards.

IN RECOGNITION OF THE HONORABLE D. FRENCH SLAUGHTER, JR.

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 9, 1998

Mr. WOLF. Mr. Speaker, Virginians were saddened to learn of the recent death of the Honorable D. French Slaughter, Jr. Our colleagues may recall that he represented the 7th District of Virginia, areas of which are now part of the 10th District, which I represent.

We don't have many heroes today, sadly, but French Slaughter was a true American hero. He fought in World War II, was wounded and decorated. When his country needed him, he went.

He was also a true Virginia gentleman. He served in the General Assembly for 20 years. He was the father of the community college system in Virginia. Mr. Slaughter and I worked together in Congress to help save a number of historic Civil War battlefields. We also worked together to help the Virginia Inland Port in Front Royal, Virginia.

Mr. Slaughter was a dedicated public servant. I was proud to call him my friend and to serve in Congress with him. We send our deepest sympathies to his family.

I would submit for the RECORD the obituary notice from the October 4, Washington Post.

D.F. SLAUGHTER DIES AT AGE 73; CONGRESSMAN FROM VIRGINIA

(By Martin Weil)

Daniel French Slaughter Jr., who was elected to Congress four times as a Republican from Virginia's 7th District, which includes parts of the Washington suburbs, died Oct. 2 in a nursing home in Charlottesville. The 73-year-old lawyer, a Culpeper resident, had Alzheimer's disease.

Mr. Slaughter was elected to Congress in 1984 and announced in 1991 that he was resigning after a series of mild strokes.

The district he represented stretched from Manassas southeast to Fredericksburg and west to Charlottesville. While in Congress, Mr. Slaughter was known for providing residents of his district with a high level of constituent service.

During one of his congressional campaigns, a Democrat criticized Mr. Slaughter for maintaining a low profile on Capitol Hill. ''He does what he gets paid for,'' a state Republican official said in his defense, ''and that's why people like him.''

In 1991, after his retirement was announced, another state party official praised his integrity and said that he ''epitomizes what is a real Virginia gentleman.''

While in Congress, Mr. Slaughter was viewed as one of the last Virginia officials who had sprung from the rural, conservative political machine founded by the late senator Harry F. Byrd (D).

While serving in the General Assembly from 1958 to 1978, Mr. Slaughter supported ''massive resistance,'' a policy under which many Virginia localities shut down the public schools rather than integrate them.

Mr. Slaughter said later that he could not think of specific votes that he would change if he had the chance. He added that he believed ''in equal opportunities for everyone.''

Mr. Slaughter, who generally used his first initial and was known as French, was born in Culpeper. He attended Virginia Military Institute before serving in the Army infantry in World War II, and receiving the Purple Heart.

After the war, he graduated from the University of Virginia and its law school and practiced law in Culpeper.

While in the General Assembly, he was regarded as a key proponent of the state's community college system.

In Congress, he served on the Judiciary, Small Business, and Science, Space and Technology committees. He emphasized issues of significance to the elderly, particularly health care. A Health Care Safety Account bill he introduced would have allowed tax credits for people older than 65 who set up special savings accounts to pay health care expenses.

In 1990, he boycotted a speech given to a joint congressional session by Nelson Mandela, now South Africa's president. He said he believed that Mandela refused to rule out violence in the struggle against apartheid.

Survivors include a son, D. French Slaughter III, of Charlottesville; a daughter, Kathleen Slaughter Smith, of Gilbert, Ariz.; a brother, Johnson Slaughter, of Houston; and nine grandchildren.

TRIBUTE TO KAY SCHULZE

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 9, 1998

Mr. BRADY of Texas. Mr. Speaker, I rise today to pay tribute to a very unique, special person—Kay Schulze of Bryan-College Station, Texas.

It's been said that a person has not lived a perfect day unless you have done something for someone who will never be able to repay you. By that measure, Kay has enjoyed many a perfect day.

Originally a native of Ohio, where much of her family still resides, Kay worked hard to put her young husband through school. In a home rich with love and faith, Kay raised four children of whom she is unabashedly proud. She didn't just teach, but practiced daily her strong belief that human dignity, economic freedom and individual responsibility are the characteristics that distinguish our nation.

As her children entered their teenage years, Kay saw an opportunity to increase her citizen duty-to-country and began volunteering in local Ohio elections for public office. It was an obligation she learned early in life through her uncle who served with distinction in the State Legislature of Ohio. In 1980 she proudly attended her first GOP national convention.

Four years later Texas received the gift of her enthusiasm and work ethic when her family moved to College Station, Texas. Kay wasted little time in continuing her civic duty and sharing her wonderful leadership skills, serving as president of the Republican Women of Brazos County no less than three terms. Time and time again she happily shouldered the time-consuming task of coordinating local get-out-the-vote phone banks and encouraged young and old alike to become more involved in shaping the direction of our democracy. Inevitably, by unanimous acclamation, in 1990

Kay was honored as the Brazos County Volunteer-of-the-Year by the Republican Party of Brazos County. Somehow, through it all, she always makes time to be a good friend, wife, mother and confidant to those in need of common-sense advice.

Many citizens who serve in public office in Brazos County, the Texas Legislature and in the halls of the United States Congress owe a great debt to the tireless efforts of Kay Schulze. I am delighted to admit that I would not now be serving my first term in the U.S. House of Representatives representing the Eighth Congressional District of Texas had Kay Schulze not believed in me. For the past two years she had also served on my Texas A & M University Agricultural Intern Selection Committee, interviewing and recommending bright young students who she believes can contribute to serving the constituents of our district.

Kay Schulze is a phenomenal person with a wonderful intellect, an unshakable faith and a very, very good heart. I am proud and blessed to call her my friend.

Recently, I am sad to report, Kay rejoined her family in Ohio as she continues her courageous battle against cancer. But there is no spot on this Earth distant enough to reach beyond the love, thoughts and prayers of her dedicated friends in Texas.

America is a better place today because of Kay Schulze.

NEW GLOBAL ECONOMIC PLAN

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 9, 1998

Mr. PAUL. Global leaders are scurrying around to put together, as quickly as possible, a new plan to solve the international financial crisis.

The world economies have been built on generous credit expansion with each country inflating their currencies at different rates. Additionally, each country has had different political, tax, and regulatory policies leading to various degrees of trust and stability. Economies that have ''enjoyed'' inflationary booms, by their very nature, must undergo a market correction. The market demands deflation of all excesses, while the politicians and special interests agitate for continued credit inflation. Under these circumstances, financial assets may deflate in price but monetary inflation continues and the currency is further depreciated thus putting serious pressure on the dollar; as in the case of the United States.

Fluctuating fiat currencies, no matter how inefficient as compared to a world commodity monetary standard, function solely because exchange rates are allowed to fluctuate and currency movements across borders are freely permitted as capital seeks the most efficient market. This process provides an indication when host countries need to improve monetary and fiscal policy.

A gold standard solves capital flow problems automatically and avoids all currency speculation. Gold prevents excesses from developing to any dangerous level.

Decades ago, the gold standard was abandoned and now our global planners want to take another step to regulate all capital flows throughout the world thus removing the only good indicator left to warn of dangers ahead and the need for sound reform. The rapid transfer of capital around the world is the messenger and not the cause. Killing the messenger will only hide and increase distortions while prolonging the economic pain.

The proposal of the Group of 22 to regulate capital flows through a new ''World Central Bank'' prevents any effort to restore efficient market mechanisms and prevents any serious discussion for using gold as the money of choice.

All money managers in major countries decry currency controls by any individual country yet are now about to embark on a new world-wide approach to regulating all capital flows—a global economic plan to socialize all world credit. But, it won't work because the plan is deeply and inherently flawed.

First, the plan demands additional appropriations to transfer wealth from the richer to the poorer nations through increased funding of the International Monetary Fund, World Bank, Development Bank, and direct foreign aid programs.

Second, it calls for more credit expansion by the richer nations, more loan guarantees, and export-import bank credits and, indirectly, by providing credit to the Exchange Stabilization Fund and possibly to the Bank International Settlements.

Third this plan calls for an international government agreement to strictly control capital flows and mandate debt forgiveness in contrast to allowing countries to default. Controlling swift movements of capital is impossible and any attempt only encourages world government through planning by a world fiat monetary system. Any temporary ''benefit'' can only be achieved through an authoritarian approach to managing the world economy, all done with the pretense of preserving financial stability at the expense of national sovereignty and personal liberty.

Let there be no doubt, the current chaos is being used to promote a new world fiat monetary system while giving political powers to its managers.

Instead, we should be talking about abandoning the paper money system we have lived with for 27 years. It has, after all, brought us the current world-wide financial mess.

Free markets and stable money should be our goal, not further institutionalizing of world economic planning and fiat money at the sacrifice of personal liberty. Indeed, we need a serious discussion of the current crisis but so far no one should be encouraged by the direction in which the Group of 22 is going. Our responsibility here in the Congress is to protect the dollar, not to sit idly by as it's being deliberately devalued.

STARTING TO USE THE NEWLY RATIFIED TREATY AGAINST TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 9, 1998

Ms. LEE. Mr. Speaker, I rise to call to the attention of the Honorable Members of the House, and the American people, the recently ratified Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. This is one of the five basic human rights treaties the United States has ratified.

I am following the lead of Congressman RONALD V. DELLUMS, who read into the RECORD important sections of the International Convenant on Civil and Political Rights. It is important that its provisions become part of our thinking and that we carry out our treaty commitments as we build enforcement of human rights law throughout this country at the federal, state and local levels. Our work against torture and other illegal practices in this country will strengthen work against torture in other countries.

This Convention Against Torture entered into force for the United States on October 21st, 1994 with no fanfare or coverage by the media. By ratifying this Convention, the United States made it part of the supreme law of the land under the U.S. Constitution, Article VI, paragraph 2. And the U.S. Government committed itself to take three steps:

1. To publicize the text throughout the nation, including notifying the states to publicize the text at the state and local levels;

2. To prepare a report on ''the measures they have taken to give effect to their undertakings'' under the treaty within one year after its entry into force, and every four years thereafter;

3. To meet with the UN Committee Against Torture after filing each report in order to work toward compliance with all provisions of the Convention in all federal agencies and at the state and local levels.

The treaty describes at length what the United States and all signatory nations must do to stop torture. Article 16 commits each nation to take the same steps to stop cruel, inhuman or degrading treatment or punishment. In order to stop both kinds of practices, the United States made a commitment in Article 10 to ''ensure that education and information regarding the prohibition against torture [and other cruel, inhuman or degrading treatment or punishment] are fully included in the training of law enforcement personnel, . . .'', as I will read in full later.

I am happy to report to the House, and to the American people, that experience with UN human rights treaties is that the reporting process works. Studies show that 32 out of 36 countries have improved their human rights laws after going through the reporting process more than once. The method of enforcement is familiar to many of us: it is the mobilization of shame. The Committee hears from a government, dialogues with officials of that government, makes its report, which it discusses with that government, and then can report its findings to the UN General Assembly.

However, the United States has not yet filed its first report, due Oct. 21, 1995. The second U.S. report will be due Oct. 21, 1999. Each report by the UN Committee Against Torture must mention that the U.S. has not met its treaty obligations to date.

I now offer several pages of excerpts from the Convention. All deletions are marked with. . . . The full treaty is available in International Legal Materials, Volume 23, page 1027 and Volume 24 at p. 535 (1985). Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

Adopted and opened for signature, ratification and accession by General Assembly resolution 39/46 of 10 December 1984 entry into force 26 June 1987, in accordance with article 27 (1) entry into force for the United States 21 October 1994 (President signed 18 April 1988; see 136 Cong. Rec. S17491–2, October 1, 1990.

The States Parties to this Convention, Considering that, in accordance with the principles proclaimed in the Charter of the United Nations, recognition of the equal and inalienable rights of all members of he human family is the foundation of freedom, justice and peace in the world,

Recognizing that those rights derive from the inherent dignity of the human person, Considering the obligation of States under the Charter, in particular Article 55, to promote universal respect for, and observance of, human rights and fundamental freedoms, Having regard to article 5 of the Universal Declaration of Human Rights and article 7 of the International Covenant on Civil and Political Rights, both of which provide that no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment, . . .

Desiring to make more effective the struggle against torture and other cruel, inhuman or degrading treatment or punishment throughout the world, Have agreed as follows:

PART I

Article 1:1. For the purposes of this Convention, the term ''torture'' means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. It does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions.

2. This article is without prejudice to any international instrument or national legislation which does or may contain provisions of wider application.

Article 2: 1. Each State Party shall take effective legislative, administrative, judicial or other measures to prevent acts of torture in any territory under its jurisdiction.

2. No exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political in stability or any other public emergency, may be invoked as a justification of torture.

3. An order from a superior officer or a public authority may not be invoked as a justification of torture.

Article 3: 1. No State Party shall expel, return (''refouler'') or extradite a person to another State where there are substantial grounds for believing that he would be in danger of being subjected to torture.

2. For the purpose of determining whether there are such grounds, the competent authorities shall take into account all relevant considerations including, where applicable, the existence in the State concerned of a consistent pattern of gross, flagrant or mass violations of human rights.

Article 4: 1. Each State Party shall ensure that all acts of torture are offences under its criminal law. The same shall apply to an attempt to commit torture and to an act by any person which constitutes complicity or participation in torture.

2. Each State Party shall make these offences punishable by appropriate penalties which take into account their grave nature.

Article 5: 1. Each State party shall take such measures as may be necessary to establish its jurisdiction over the offences referred to in article 4 in the following cases:

(a) When the offences are committed in any territory under its jurisdiction or on board a ship or aircraft registered in that State;

(b) When the alleged offender is a national of that State;

(c) When the victim is a national of that State if that State considers it appropriate.

2. Each State Party shall likewise take such measures as may be necessary to establish its jurisdiction over such offences in cases where the alleged offender is present in any territory under its jurisdiction and it does not extradite him pursuant to article 8 to any of the States mentioned in paragraph I of this article.

3. This Convention does not exclude any criminal jurisdiction exercised in accordance with internal law.

Article 6: 1. Upon being satisfied, after an examination of information available to it, that the circumstances so warrant, any State Party in whose territory a person alleged to have committed any offence referred to in article 4 is present shall take him into custody or take other legal measures to ensure his presence. The custody and other legal measures shall be as provided in the law of that State but may be continued only for such time as is necessary to enable any criminal or extradition proceedings to be instituted.

2. Such State shall immediately make a preliminary inquiry into the facts.

3. Any person in custody pursuant to paragraph I of this article shall be assisted in communicating immediately with the nearest appropriate representative of the State of which he is a national, or, if he is a stateless person, with the representative of the State where he usually resides.

4. When a State, pursuant to this article, has taken a person into custody, it shall immediately notify the States referred to in article 5, paragraph 1, of the fact that such person is in custody and of the circumstances which warrant his detention. The State which makes the preliminary inquiry contemplated in paragraph 2 of this article shall promptly report its findings to the said States and shall indicate whether it intends to exercise jurisdiction.

Article 7:1. The State Party in the territory under whose jurisdiction a person alleged to have committed any offence referred to in article 4 is found shall in the cases contemplated in article 5, if it does not extradite him, submit the case to its competent authorities for the purpose of prosecution.

2. These authorities shall take their decision in the same manner as in the case of any ordinary offence of a serious nature under the law of that State. In the cases referred to in article 5, paragraph 2, the standards of evidence required for prosecution and conviction shall in no way be less stringent than those which apply in the cases referred to in article 5, paragraph 1.

3. Any person regarding whom proceedings are brought in connection with any of the offences referred to in article 4 shall be guaranteed fair treatment at all stages of the proceedings.

Article 8:1. The offences referred to in article 4 shall be deemed to be included as extraditable offences in any extradition treaty existing between States Parties. States Parties undertake to include such offences as extraditable offences in every extradition treaty to be concluded between them.

2. If a State Party which makes extradition conditional on the existence of a treaty receives a request for extradition from another State Party with which it has no extradition treaty, it may consider this Convention as the legal basis for extradition in respect of such offences. Extradition shall be subject to the other conditions provided by the law of the requested State.

3. States Parties which do not make extradition conditional on the existence of a treaty shall recognize such offences as extraditable offences between themselves subject to the conditions provided by the law of the requested State.

4. Such offences shall be treated, for the purpose of extradition between States Parties, as if they had been committed not only in the place in which they occurred but also in the territories of the States required to establish their jurisdiction in accordance with article 5, paragraph 1.

Article 9:1. States Parties shall afford one another the greatest measure of assistance in connection with criminal proceedings brought in respect of any of the offences referred to in article 4, including the supply of all evidence at their disposal necessary for the proceedings. . . .

Article 10:1. Each State Party shall ensure that education and information regarding the prohibition against torture are fully included in the training of law enforcement personnel, civil or military, medical personnel, public officials and other persons who may be involved in the custody, interrogation or treatment of any individual subjected to any form of arrest, detention or imprisonment.

2. Each State Party shall include this prohibition in the rules or instructions issued in regard to the duties and functions of any such person.

Article 11: Each State Party shall keep under systematic review interrogation rules, instructions, methods and practices as well as arrangements for the custody and treatment of persons subjected to any form of arrest, detention or imprisonment in any territory under its jurisdiction, with a view of preventing any cases of torture.

Article 12: Each State Party shall ensure that its competent authorities proceed to a prompt and impartial investigation, wherever there is reasonable ground to believe that an act of torture has been committed in any territory under its jurisdiction.

Article 13: Each State Party shall ensure that any individual who alleges he has been subjected to torture in any territory under its jurisdiction has the right to complain to, and to have his case promptly and impartially examined by, its competent authorities. Steps shall be taken to ensure that the complainant and witnesses are protected against all ill-treatment or intimidation as a consequence of his complaint or any evidence given.

Article 14: 1. Each State Party shall ensure in its legal system that the victim of an act of torture obtains redress and has an enforceable right to fair and adequate compensation, including the means for as full rehabilitation as possible. In the event of the death of the victim as a result of an act of torture, his dependants shall be entitled to compensation.

2. Nothing in this article shall affect any right of the victim or other persons to compensation which may exist under national law.

Article 15: Each State Party shall ensure that any statement which is established to have been made as a result of torture shall not be invoked as evidence in any proceedings, except against a person accused of torture as evidence that the statement was made.

Article 16: 1. Each State Party shall undertake to prevent in any territory under its jurisdiction other acts of cruel, inhuman or degrading treatment or punishment which do

not amount to torture as defined in article I, when such acts are committed by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. In particular, the obligations contained in articles 10, 11, 12 and 13 shall apply with the substitution for references to torture of references to other forms of cruel, inhuman or degrading treatment or punishment.

2. The provisions of this Convention are without prejudice to the provisions of any other international instrument or national law which prohibits cruel, inhuman or degrading treatment or punishment or which relates to extradition or expulsion.

PART II

Article 17: 1. There shall be established a Committee against Torture (hereinafter referred to as the Committee) which shall carry out the functions hereinafter provided. The Committee shall consist of ten experts of high moral standing and recognized competence in the field of human rights, who shall serve in their personal capacity. The experts shall be elected by the States Parties, consideration being given to equitable geographical distribution and to the usefulness of the participation of some persons having legal experience.

2. The members of the Committee shall be elected by secret ballot from a list of persons nominated by States Parties. Each State Party may nominate one person from among its own nationals. . . .

3. Elections of the members of the Committee shall be held at biennial meetings of States Parties convened by the Secretary-General of the United Nations. At those meetings, for which two thirds of the States Parties shall constitute a quorum, the persons elected to the Committee shall be those who obtain the largest number of votes and an absolute majority of the votes of the representatives of States Parties present and voting. . . .

5. The members of the Committee shall be elected for a term of four years. They shall be eligible for re-election if renominated. . . .

6. If a member of the Committee dies or resigns or for any other cause can no longer perform his Committee duties, the State Party which nominated him shall appoint another expert from among its nationals to serve for the remainder of his term, subject to the approval of the majority of the States Parties. . . .

7. States Parties shall be responsible for the expenses of the members of the Committee while they are in performance of Committee duties.

Article 18: 1. The Committee shall elect its officers for a term of two years. They may be re-elected.

2. The Committee shall establish its own rules of procedure, but these rules shall provide, inter alia, that:

(a) Six members shall constitute a quorum;

(b) Decisions of the Committee shall be made by a majority vote of the members present.

3. The Secretary-General of the United Nations shall provide the necessary staff and facilities for the effective performance of the functions of the Committee under this Convention.

4. . . . After its initial meeting, the Committee shall meet at such times as shall be provided in its rules of procedure.

5. The States Parties shall be responsible for expenses incurred in connection with the holding of meetings of the States Parties and of the Committee, including reimbursement to the United Nations for any expenses, such as the cost of staff and facilities, incurred by the United Nations pursuant to paragraph 3 of this article.

Article 19: 1. The States Parties shall submit to the Committee, through the Secretary-General of the United Nations, reports on the measures they have taken to give effect to their undertakings under this Convention, within one year after the entry into force of the Convention for the State Party concerned. Thereafter the States Parties shall submit supplementary reports every four years on any new measures taken and such other reports as the Committee may request.

2. The Secretary-General of the United Nations shall transmit the reports to all States Parties.

ON THE REAL STORY ABOUT WORKERS' COMPENSATION FRAUD

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, October 9, 1998

Mr. KUCINICH. Mr. Speaker, I rise to present the findings of a significant, new report on workers' compensation fraud, prepared for the Injured Workers Bar Association. The report finds that allegations of fraud due to false worker's claims are far out of proportion to their occurrence. I ask that my colleagues consider these findings.

WORKER'S COMPENSATION FRAUD: THE REAL STORY

(Prepared by the Labor Research Association, Greg Tarpinian, executive director)

Executive Summary

Escalating workers' compensation insurance premiums in the late 1980s and early 1990s set off a series of unsubstantiated charges about widespread claimant fraud as a major cost driver in the workers' compensation system. A number of states passed anti-fraud legislation and began to pursue fraud cases and to collect information about fraud on a serious basis. These efforts have uncovered no evidence to support the charges of widespread claimant fraud and, in fact, have revealed that employer fraud is a far larger drain on the system. The misplaced focus on claimant fraud has created an atmosphere of fear and intimidation for injured workers with legitimate claims. It has also distracted policymakers, law enforcement officials and the public from the real fraud problem in workers' compensation: employer fraud.

Dramatic increases in workers' compensation premiums throughout the late 1980's and early 1990's fueled unsubstantiated charges that costs were high in part because workers abused the system, fraudulently collecting benefits for faked injuries or remaining on benefits far longer than their recovery required. The American Insurance Association estimated fraud losses at 10% of the cost of claims paid, or about $3 billion. The National Insurance Crime Bureau doubled the ALA's estimate to $6 billion, even though it was involved in only 99 fraud prosecutions in 1994 and 134 in 1995 nationwide. The Coalition Against Insurance Fraud adopted the AIA's estimate. One insurance company president put the cost of workers' compensation fraud at $30 billion a year. These huge numbers grabbed the attention of the public and policyholders. The presumption in the press and in the state houses was that fraud was rampant and that most workers' compensation fraud was claimant fraud.

Since that time, more than half of the states have passed legislation on workers' compensation fraud, with most of the laws directed primarily at claimants. Thirty-three states currently have active workers' compensation insurance fraud units, many of them geared to fighting claimant fraud. In every state, some claimant fraud has been discovered; publicity about these cases has created a deterrent for workers who might contemplate fraudulent claims. But it has also created an atmosphere that Frederick Hill, California analyst for Firemark Research of New Jersey, describes as the ''unwarranted and anecdotal vilification of the work force.''

In its extensive investigation of workers' compensation fraud, the Santa Rosa Press Democrat concluded that, ''The perception that workers are cashing in by faking or exaggerating injuries has created a climate of mistrust in which every person who is injured and files a claim can become the subject of suspicion by insurance adjusters, doctors and industry lawyers.'' Perhaps most importantly, the fixation on claimant fraud has distracted policymakers, enforcement agencies, and the public from growing evidence of the real problem: millions of dollars in employer and provider fraud.

Fixation on Claimant Fraud

Few experts believe that claimant fraud is a major cost driver in workers' compensation. But some estimates, including those adopted by California Governor Pete Wilson, suggest that fraud accounted for 25% of all employers' workers' compensation costs and 10% of the claims. In California, a wave of legislation in the late 1980s and early 1990s was fueled by allegations from employers that workers' compensation costs were too high and that fraud was rampant in the system. But between 1979 and 1991, insurance carriers in California reported only 532 cases of alleged fraud.

According to the Santa Rosa Press Democrat, ''Some insurance companies saw fraud as a way to explain why premiums were soaring, and politicians and the media jumped on the bandwagon.'' The Press Democrat found that, ''While some insurance companies claim one out of three workers lie about their injuries, or 33%, the actual number of fraud cases sent to prosecutors is less than 1 out of 100, or less than 1%.

In its estimates of fraud within its own state, Kentucky reversed California's estimate of fraud accounting for 10% of claims and 25% of costs, saying that ''as much as 25% of all workers' compensation claims involve some element of fraud, accounting for 10% of paid premium.'' Kentucky then calculated its own fraud losses as $60 million a year. It noted, however, that ''while the extent of the fraud cannot be quantified, there is no doubt that workers' compensation fraud is in the public eye. Reports of fraud . . . are proliferated by the media.''

High workers' compensation costs led to more anti-fraud efforts. The Arkansas legislature created the Workers' Compensation Fraud Investigation Unit in 1993, in response to then-escalating workers' compensation costs. In its first year of operation, the new Fraud Unit opened 116 investigations, leading to 10 claimant fraud prosecutions and five employer fraud prosecutions, and quickly discovered that the employer cases accounted for a large portion of the dollar value involved.

New York's massive 1996 workers' compensation legislation, including its fraud provisions, resulted a directly from employer claims that workers' compensation costs were out of control. New York State Controller H. Carl McCall announced flatly in October of 1997, ''Fraud is a factor in New York's compensation costs.'' A statement from his office made the link between rising costs and the presumption of widespread fraud, stating

that, ''In response to the high cost of workers' compensation, reforms aimed at fraud detection and prosecution were enacted in 1996.'' But according to the New York State Insurance Department's annual report on insurance fraud, workers' compensation fraud represented only 3% of all the fraud reports in the state in 1996, the year that the legislation was passed.

Of the more than $6 million in insurance fraud documented in the New York report, workers' compensation claimant cases accounted for less than 2%. The report cited cases of pharmacists, physicians, and medical clinics making a total of almost $3 million in fraudulent claims. Three cases of premium embezzlement totaled over half a million dollars. The report cited only five cases of claimant fraud totaling $107,300. Like other states that are pursuing workers' compensation fraud, New York is quickly discovering that the real drain on the system stems from employer and provider fraud.

Common Forms of Employer Fraud

The best evidence from the states that have pursued fraud and generated detailed records indicates that for every $1 lost in claimant fraud, at least $4 to $5 (and in some states as much as $10) are lost through premium fraud. Premium fraud includes a number of schemes used by employers to reduce the workers' compensation insurance premiums by underreporting payroll, misclassifying employees' occupations and misrepresenting their claims experience. According to the National Council on Compensation, the most common frauds include:

Underreporting payroll. Employers reduce their premiums by not reporting parts of the work force, paying workers off the books or creating a companion corporation to hide a portion of the employees.

Declaring independent contractors. Employers avoid premium payments for employees by classifying them as independent contractors even though they are legally employees.

Misclassifying workers. Employers intentionally misrepresent the work employees do to put them in less hazardous occupational categories and reduce their premiums.

Misrepresenting claims experience. Employers hide previous claims by classifying employees as independent contractors or leased employees or creating a new company on paper.

Employers deliberately underestimate employment projections at the beginning of the premium year and essentially receive an interest-free loan from the insurance company for the amount that would have been required to insure new employees.

In addition to premium fraud, employers often fail to purchase workers' compensation insurance, despite state laws mandating that they do so. There are also reports of employers instructing injured workers to seek treatment under group health insurance than workers' compensation, employers discouraging workers from filing workers' compensation claims and firing workers who file claims.

Recognizing the Real Fraud

While some states and the media continue to focus on claimant fraud, states that have pursued workers' compensation fraud in a serious way are now concluding that the emphasis on claimant fraud is misplaced, and employer fraud is by far the greater problem. According to Jerry D. Stewart, the bureau chief of workers' compensation/law enforcement operations at the Division of Insurance Fraud in Florida. ''Historically, there has been a common presumption that those committing the most costly type of workers' compensation fraud have been claimants whose actions, such a double-dipping or claims for false injuries, drove up the cost of workers' compensation insurance. While claims fraud is a significant problem in Florida it pales in comparison with the occult type of fraud known as 'premium fraud,' where loss estimates range around $400 million. Stewart notes that, ''Premium fraud scams are costly to companies in Florida, causing workers compensation insurance rates to escalate and legitimate companies to lose business because they are less able to compete with companies shirking the system.''

In Florida, the construction industry, the state Workers' Compensation Oversight Board, and the House of Representatives Committee on Financial Services all lobbied for increased enforcement of premium fraud and stiffer penalties for employers. Since 1996, Florida has turned its attention to premium fraud, with dramatic results. Florida now has a special strike force mobilized solely to fight premium fraud. The state prosecutor has also impaneled a statewide grand jury to hear complex insurance fraud schemes such as premium fraud. During the last months of 1997, 11 persons were charged with racketeering and schemes to defraud, which involved $7.5 million in workers' compensation premium fraud losses.

In one case, a Palm Beach leasing firm misclassified employees and underreported their payroll, thus avoiding payment of more than $800,000 in workers' compensation insurance premiums. Another case involved underreporting of payroll at a large fruit harvesting company, with fraud charges totaling $3.5 million. Yet another employer in central Florida was charged with defrauding insurers of $2 million while operating one of the state's largest temporary employment agencies. The employer disguised the high-risk nature of the work done by many of the employees, concealed its claims history, prevented insurance companies from conducting audits and lied on applications for workers' compensation insurance. In January of 1998, two Florida insurance executives and their attorney were charged with multiple criminal counts in connection with the $100 million collapse of two insurance companies caused by kickbacks to reduce workers' compensation premiums.

Under a state law that took effect in 1994, Wisconsin's Division of Workers' Compensation now collects information and issues annual reports on fraud. In 1994, the division referred to the district attorney five cases of claimant fraud, involving $44,674, out of 73,678 work-related injuries reported for the year. In its 1997 study, the division concluded that, ''There is no evidence that criminally prosecutable fraud is more than one percent of all reported claims in Wisconsin—a far cry from the 20–30% estimates thrown about elsewhere.'' In 1996, there were 152 allegations of workers' compensation claimant fraud made to the division in Wisconsin. Eleven of those were referred to the district attorney, and seven were pursued, with fraud losses valued at total of $175,389. The division found that fraud is involved in six-tenths of one percent of all reportable claims in Wisconsin.

A Texas study of workers' compensation fraud conducted by the state's Research and Oversight Council on Workers' Compensation found that, ''In 1996, health care provider fraud was the most expensive type of fraud detected in the Texas workers' compensation system in terms of total dollars lost ($1,200,952), accounting for over eight times the dollar amount of injured worker benefit fraud ($134,351).'' In 1996, only 18 injured worker benefit fraud cases were referred to district attorneys, with an average fraud of $7,464 per case, compared with 46 health care providers, with an average fraud of $26,108 per case.

The Texas report found, however, that insurance carriers spent more money investigating injured worker benefit fraud than any other type of workers' compensation fraud. In 1996, Texas insurance carriers spent an average of $1,257 per claimant fraud investigation, compared with $991 per employer premium fraud investigation and $823 per health care provider fraud investigation. In 1996, the nineteen insurers studied spent over $5.5 million investigating workers' compensation fraud in Texas, yet recovered a total of $1,520,179. Of the 4,077 cases of claimant fraud that the carriers investigated, only 18 were referred for criminal prosecution. The report concluded: ''It is clear that more resources should be spent fighting the most expensive and overlooked types of workers compensation fraud: employer premium and health care provider fruad.''

A 1995 law that requires the reporting and investigation of premium fraud has helped to shift the focus in California. ''In terms of dollar costs, there's no question that employer fraud today costs more dollars to carriers and to the industry than employee fraud,'' according to Richard Schultz, a spokesman for the State Compensation Insurance Fund, California's largest compensation insurer. A recent study by the California Department of Industrial Relations and the Employment Development Department (EDD) calculated that 19% of employers—nearly one out of every five—either underreport payroll to EDD or have no workers' compensation insurance. The California Department of Insurance concludes that, ''Losses on premium fraud can and usually do exceed the amount of loss in claimant fraud, and, in some instances, medical mill fraud. For example, in several cases where criminal charges have already been filed, losses due to premium fraud for each case are estimated to be in excess of $5 million.

New York's new anti-fraud efforts have dramatically increased arrests for workers' compensation fraud. In 1997, the New York Insurance Department investigated 408 cases of alleged workers' compensation fraud and made 37 arrests, with $900,000 saved by insurance companies and more than $1.2 million in court-ordered restitution. Although New York continues to focus on claimant fraud, its investigations have uncovered premium fraud cases of far greater significance than any of the claimant cases. In one recent case, the comptroller of a trucking company pleaded guilty to mail fraud after he falsified the company's payroll records to defraud the State Insurance Fund of more than $1.2 million in workers' compensation insurance premiums.

Massachusetts's largest workers' compensation fraud case for 1997 involved an employer who fraudulently reduced the premiums for his rubbish collection workers by classifying them as clerical workers, hiding payroll and using shell corporations to evade surcharges based on the business's unfavorable prior accident history. The employer concealed more than $1 million in payroll from insurance auditors.

Employers also abuse the system when they fail to provide workers' compensation insurance for their employees or take out a policy but then fail to pay the premiums. California is beginning to investigate employers who fail to provide workers' compensation insurance. In March of 1998, California launched a three-part pilot project to match computer databases from various state agencies to identify employers who are illegally uninsured for workers' compensation. According to John C. Duncan, Director of the California Department of Industrial Relations, the project is designed to ''level the playing field for law-abiding insured employers and reduce the taxpayer burden created by those who are not.''

California's Commission on Health and Safety and Workers' Compensation 1997 report concludes that, ''Especially in industries with high premium rates, the illegally uninsured employer is able to underbid the insured employer. Insured employers are again disadvantaged when taxes are raised to cover costs shifted to government services to assist the injured workers of employers who are illegally uninsured.''

Several other states, including Wisconsin and Colorado, are also using proactive programs to identify uninsured employers using computerized lists of employers and workers' compensation politics. In New York, a 1997 audit by the state comptroller's office revealed that employers owe more than $500 million in overdue unpaid workers' compensation insurance premiums to the State Insurance Fund. Failure to secure workers' compensation insurance is only a misdemeanor offense in New York. In West Virginia, the state has been forced to initiate a series of lawsuits to force payment of more than $100 million in unpaid workers' compensation premiums.

Medical Provider Fraud

Workers' compensation fraud also occurs among medical providers. These forms of fraud evolve as the nature of medical care changes over time. Outright fraud occurs when providers bill for treatments that never occurred or were blatantly unnecessary. Some of the newer forms of medical provider fraud include kickbacks from specialists and other treatment providers to referring physicians, and provider upcoding, where provider charges exceed the scheduled amount. Providers also shift from the less expensive, all-inclusive patient report to supplemental reports, which add evaluations and incur separate charges.

Medical provider schemes include: creative billing—billing for services not performed; self-referrals—medical providers who inappropriately refer a patient to a clinic or laboratory in which the provider has an interest; upcoding—billing for a more expensive treatment than the one performed; unbundling—performing a single service but billing it as a series of separate procedures; product switching—a pharmacy or other provider bills for one type of product but dispenses a cheaper version, such as a generic drug.

Newer forms of fraud and abuse occurring under managed care arrangements include: underutilization—doctors receiving a fixed fee per patient may not provide a sufficient level of treatment; overutilization—unnecessary treatments or tests given to justify higher patient fees in a new contract year; kickbacks—incentives for patient referrals; internal fraud—providers collude with the medical plan or insurance company to defraud the employer through a number of schemes.

According to the National Council on Compensation, ''The increased use of managed care for workers' compensation, as well as for other insurance lines, is bringing new twists to old schemes,'' Managed care creates more opportunities for fraud because of the financial relationships and incentives between players.

Although the campaign against California medical mills wiped out a substantial part of medical provider abuse in that state, new cases continue to emerge. In October of 1997, for example, a pharmacist plead guilty to 21 counts of fraudulent workers' compensation insurance billing. The pharmacist increased his revenues by up to 500% per prescription on more than $600,000 of drugs sold over a four year period.

Insult Added to Injury

Because of the assumption of widespread claimant fraud, injured workers who file a workers' compensation claim may be subjected to insulting questions and treated as malingerers and cheats. Under the auspices of ''fraud prevention,'' they may face endless questioning and unnecessary medical examinations. They may be subjected to constant video surveillance by private investors hired to follow their every move. Their employer may refuse to provide light duty work, or take retaliatory actions against them when they return to work. If they look for another job, their application may be screened for prior workers' compensation claims.

Although some of these tactics are used in legitimate attempts to investigate questionable claims, they have also become part of a broad employer attempt to intimidate workers from filing workers' compensation claims. Under the pretext of controlling what has been falsely presented as rampant claimant fraud, injured workers are discouraged form exercising their legitimate rights to workers' compensation benefits. As a recent Michigan study demonstrated, the real problem in workers' compensation is not that too many workers claim benefits, but that too few do so. The study, sponsored by the National Institute for Safety and Health, found that only one in four workers with occupational diseases file for workers' compensation. Unsubstantiated charges of rampant claimant fraud undermine public confidence in the system and discourage legitimately injured workers from seeking the benefits they need and deserve.

In California, a detailed investigation by state auditors found that ''workers' compensation insurers violated workers' rights in about half the claims it audited.'' The violations included ''unacceptably high amounts'' of unpaid benefits, late payments, inaccurate benefit notices and failure to notify injured workers of their rights. In describing the experience of many workers' compensation claimants. The Santa Rosa Press Democrat found that many injured workers slam into a wall of suspicion and distrust that will paralyze them with shame and frustration and delay their recovery. One of the injured workers interviewed by the newspaper commented: ''You get the feeling that even though you have a legitimate complaint and a six-inch scar, you're somehow a malingerer.''

The grossly overstated estimates of claimant fraud have not only subjected injured workers with legitimate claims to fear and intimidation, but have also obscured a more serious look at the workers' compensation system and the benefits it provides. The real question is not why there is so much claimant fraud, but why there is so little. In most states, workers' compensation benefits provide little more than poverty-level existence. Workers often wait weeks and months for payments.

Many employers refuse to provide light duty or alternative jobs for workers who might be able to go back to work in a modified capacity while they continue to recover, so workers are forced to continue on inadequate benefit payments even though they may be able to work in some capacity. Some injured workers lose their jobs or are only offered positions at much lower pay. It is little wonder that so many claimant fraud cases involve workers illegally continuing to accept benefits when they are in fact working at another establishment. Too many times, inadequate benefits put people in desperate straits, and they take desperate measures as a result. A system that leaves people in poverty invites abuse.

The presumption of widespread malingering and dishonesty undercuts any meaningful discussion of the adequacy of benefits and provides a convenient response for those opposed to the benefit increases that are so critically needed in many states. Until the misplaced focus on claimant fraud is overcome, district attorneys will continue to fry the small fish while the big fish go free, and the voting public will remain distracted by anecdotes.

PERSONAL EXPLANATION

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 9, 1998

Mr. DAVIS of Illinois. Mr. Speaker, on September 17, 1998, I was unavoidably detained from casting my vote on Roll Call number 448. However, if I had been present, I would have voted ''aye'' on this amendment.

PRESCRIPTION DRUG PRICING

HON. MARION BERRY

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 9, 1998

Mr. BERRY. Mr. Speaker, I rise today to announce the formation of the Prescription Drug Task Force.

I have enjoyed working with Representatives ALLEN and TURNER to form the task force.

The task force will work to bring attention to issues involving the costs and availability of prescription drugs.

The task force will serve as a clearinghouse for information on these issues and will host educational forums, briefings, and hearings.

One of the things we will focus on is continuing to hold forums like the one we hosted last week, where members will be given an opportunity to participate in discussions and learn how consumers are being affected by the pricing decisions of pharmaceutical companies.

One thing I would like to talk about tonight is how the most profitable industry in existence (that is legal) and why that industry's practice of making excessive profits from the elderly and uninsured Americans is bad news.

According to industry ratings of Fortune 500 companies—pharmaceutical companies are the most profitable businesses in existence. They made $24.5 billion in profits last year. Pharmaceutical companies had a 17.2 percent return on revenues. That compares to telecommunication companies who had an 8.1 percent, computers and office equipment manufacturers who had 7.3 percent, food and drug stores that made 1.7 percent.

One might think the successful pharmaceutical companies would be of tremendous benefit to American consumers. This couldn't be more wrong.

And unfortunately, while the pharmaceutical companies are making tremendous profits, the American people are being gouged. Thousands of consumers, especially seniors, have found themselves affected by the price of prescription drugs in this country.

Studies that have been conducted by the minority staff of the Government Reform and Oversight Committee for several Members of Congress, including myself, over the last several months. These studies have shown the prices seniors and other consumers are

charged are significantly higher than what pharmaceutical companies charge their favored customers such as HMOs, insurance companies and the Federal Government.

Because of this price gouging, seniors across the country are gathering their friends and traveling to other countries such as Mexico and Canada to purchase prescription drugs because to buy them in our own country, is just too expensive. Why not go somewhere else when you can pay a lower price somewhere else?

Here's the reality—prescription drug prices are higher in the United States than they are in neighboring countries. According to the General Accounting Office (GAO), prescription drugs in the U.S. were priced about 34 percent higher than the same products in Canada.

The average price for products sold in the U.S. was $45.17, ranging from $2.35 (for Deltasone, 5 mg. tablets) to $304.32 (for PCE, 333 mg. tablets). The average price for the same products sold in Canada was $33.78, ranging from $1.29 (for Deltasone) to $211.98 (for PCE). The comparisons were based on data collected from both countries for 121 prescription drugs in the same quantities for each product.

Also, the group Public Citizen conducted a study of eight newly developed antidepressant and antipsychotic medications. They found that the prices for each of these eight drugs were higher in the U.S. than they were in 17 other European and North American countries. That's every country looked at in the study.

The study showed that on average, American prices were twice as high as other countries', and for individual comparisons with other countries, the American price was as much as six times higher.

The consequences are that many individuals who need these new drugs, for financial reasons, are not getting the treatment they need.

GAO says the reason for this differential in the drug prices in the two countries is because Canadian law controls prices of both new drugs entering its market and any increases in prices of pharmaceuticals already on the market.

If the manufacturers see profits in countries with price controls and/or government purchasing plans, why do they charge higher prices elsewhere?

When consumers in one area cannot buy in another, the seller may be able to increase its profits by engaging in what economists call price discrimination. That is what is going on in our country, pure and simple, price discrimination. And what this price discrimination amounts to is our seniors are being ripped off.

Mr. Speaker, if someone were going around stealing from seniors in your town or city, stealing right out of their homes and their pockets, people would be outraged. The police would be called and those thieves would be arrested. Then why are we allowing the pharmaceutical companies to rob our seniors? Isn't price discrimination the same thing?

We try to allow people to live longer, but then when a doctor prescribes a drug, the senior can't take it because they can't afford it.

We live in the richest country in the world but we allow people to starve, go without heat, and only take half of their medicine because they can't afford to take the prescribed amount. It is also wrong that seniors have to travel hundreds of miles for medication, they need, often just to stay alive.

PRESCRIPTION DRUG PRICING

HON. PATRICK J. KENNEDY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, October 9, 1998

Mr. KENNEDY of Rhode Island. Mr. Speaker, I want to thank Congressman ALLEN and Congressman BERRY for their work in organizing today's special order.

As we are hearing today, many seniors are unable to afford the cost of prescription drugs due to a lack of insurance coverage and excessive drug price inflation.

Ninety percent of Americans over 60 years or older take one or more medications. The days when someone only takes one drug a day are long gone. Today's seniors take three or four drugs a day at least. At the same time, 45 percent of seniors, age 65 and older, do not have prescription drug coverage.

High drug costs, coupled with this lack of coverage, often means making choices between groceries, heating oil, or prescription drugs. How many of our constituents have had to choose between buying certain foods at the grocery store or buying high blood pressure medicine? How many of them had to make sacrifices, just so they could buy their medicines?

For three out of four seniors, prescription drugs represent the highest out-of-pocket medical care cost; only long term care costs more.

The prices of the top selling prescription drugs have risen nearly four times the general rate of inflation between 1985 and the early 1990s. Meanwhile, the Federal Government and the taxpayer spends billions of dollars to help find drugs to treat the diseases of our generation: cancer, Alzheimers, high blood pressure, diabetes, and other chronic conditions.

The industry must do their share as well, and so far they are not doing enough. The pharmaceutical industry is the most profitable industry in the world. In FY 96, it made over $106 billion in sales and revenues and $16.2 billion in sheer profits.

One example of the profits made in the pharmaceutical industry is from the drug TAXOL. TAXOL is an anti-cancer drug that treats breast, lung, and ovarian cancers. It makes $800 million in profits annually. The NIH budget supplied $32 million of the money needed to research this drug. Furthermore, a cancer patient taking TAXOL may pay in excess of $100,000, while the cost to the pharmaceutical company that manufacturers this drug is only about $500 per patient. We pay for the development of these medications, and then pay high prices for their use.

The bill that I introduced this spring with two of my colleagues, Republican Congressman TOM CAMPBELL of California and Independent Congressman BERNIE SANDERS of Vermont, gets at both the need for seniors' prescription drug coverage and the rising costs of these medicines. The bill, called Making Affordable Prescriptions for Seniors Act, will provide up to $500 of such assistance, for any legally marketed prescription drug that is safe and effective according to the FDA.

Also, I am a proud sponsor of the Prescription Drug Fairness Act, by Congressman ALLEN and Congressman BERRY.

The Prescription Drug Fairness for Seniors Act protects senior citizens from drug price discrimination and makes prescription drugs available to Medicare beneficiaries at reduced prices.

The legislation is a ''win-win'' bill because it allows pharmacies that serve Medicare beneficiaries to purchase prescription drugs at the low prices available under the Federal Supply Schedule. The legislation has been estimated to reduce prescription drug prices for seniors by over 40 percent.

It is time that we help alleviate the burden on our nation's seniors and become accountable for rising drug costs. It is only fair that we end the need to make choices between a good nutrition and shelter or critical medication.

PRESCRIPTION DRUG PRICING

HON. THOMAS H. ALLEN

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Friday, October 9, 1998

Mr. ALLEN. Mr. Speaker, I am pleased to join my colleagues to address a very serious problem, the high price of prescription drugs. We only have a few remaining days left in this Congress. I would like to spend this time discussing the issues which matter to the American people such as HMO reform, reducing class size, and yes, improving the health and well being of our seniors.

As I travel throughout the first district of Maine, people, particularly seniors, share their experiences regarding the high cost of prescription drugs.

The high cost of prescription drugs is particularly difficult for seniors, who use one third of all prescriptions. While the average American under 65 uses only four prescriptions a year, the average senior uses 14 prescriptions a year. Furthermore, most older Americans suffer from more than one chronic condition, such as hypertension, diabetes, arthritis, glaucoma and circulatory problems.

Medicare does not provide prescription drug coverage, so many seniors do not have prescription drug coverage and must incur these expenditures out-of-pocket.

To bring attention to some of the above mentioned problems, and to consider appropriate action, I have joined my colleagues, Representative MARION BERRY and Representative JIM TURNER in establishing the Prescription Drug Task Force.

Last June I requested that the Government Reform and Oversight Committee investigate whether pharmaceutical companies are taking advantage of older Americans through price discrimination, and, if so, whether this is part of the explanation for the high drug prices being paid by older Americans.

According to a recent Standard & Poor's report on the pharmaceutical industry, ''drugmakers have historically raised prices to private customers to compensate for the discounts they grant to managed care companies. This practice is known as 'cost shifting.' '' I understand that this is the first study which attempts to quantify the extent of price discrimination and how it affects seniors.

The study investigated the prices of the 10 brand name drugs with the highest sales to the elderly (Zocor, Prilosec, Fosamax, Norvasc, Relafen, Procardia XL, Cardizem CD, Zoloft, Vasotec & Ticlid).

The study estimates the differential between the price charged to the drug companies' most favored customers, such as large insurance companies and HMOs, and the price charged to seniors. The results are based on a survey of retail prescription drug prices in chain and independently owned drug stores in the first district of Maine.

These prices are compared to the prices paid by the drug companies most favored customers. Then, for comparison purposes, the study estimates the differential between retail prices and prices for favored customers for other consumer items.

This study has since been conducted in a number of congressional districts across the country. This is clearly a problem not only in Maine—but nationwide. A national report summarizing the investigations in our districts has been completed. I would like to take a few moments to share some of the findings of the national report.

Older Americans and others who pay for their own drugs are charged far more for their prescription drugs than are the drug companies' most favored customers, such as large insurance companies and health maintenance organizations.

A senior paying for his or her own prescription drugs must pay, on average, almost twice as much for the drugs as the drug companies' favored customers. This unusually large price differential is approximately four times greater than the average price differential for other consumer goods. The average price differential for the ten prescription drugs used in this study was 86 percent, while the average price differential for the other items was only 22 percent.

Other drugs commonly used by seniors that are not among the top ten have even higher price differentials. For example, an equivalent dose of Synthroid, a commonly used hormone treatment, would cost the favored customers only $1.75, but would cost the average senior almost $30.00! This is a price differential of 1,603 percent!

The high price of prescription drugs is not the fault of our pharmacists. Pharmacies have relatively small markups for prescription drugs—somewhere between 3–22 percent. Large pharmaceutical companies drive up the prices. Drug manufacturers make six times more profit on prescriptions than retail pharmacies.

A recent lawsuit alleged that pharmaceutical companies have created a dual price system of drug distribution. Drug companies give discounts to the big managed care companies and HMOs, while charging higher prices to independent drugstores and pharmacy chains. Four of the pharmaceutical companies chose to settle for $350 million. Other cases are still pending.

Drug companies make unusually high profits compared to other companies. The average manufacturer of brand name consumer goods, such as Proctor & Gamble of Colgate-Palmalive, has an operating profit margin of 10.5 percent. Drug manufacturers, however, have an operating profit margin of 28.7 percent—nearly three times greater.

Unquestionably, pharmaceuticals have improved the lives of millions of people with very serious illnesses and chronic disabilities. Each year, drug companies introduce new drugs that restore the health, extend the life expectancy and improve the quality of life for people. However, these contributions are not a license for profiteering and price gouging.

The problems outlined in these reports, are not simply a series of numbers and charts and dollar amounts. These problems affect real people, everyday, in Maine and throughout the nation.

Recently, I joined several of my colleagues to introduce H.R. 4627, the Prescription Drug Fairness for Seniors Act. When we introduced the bill we were joined by one of my constituents, Vi Quirion.

Vi traveled from Maine to Washington to speak not only of her difficulties, but also of those of her friends and neighbors. Vi has arthritis and stomach troubles. She lives on about $900 per month from Social Security and cannot afford supplemental coverage for her prescriptions.

Vi, like many seniors, cuts back on her medication or does not take it at all. As she said: ''I can't afford to pay my prescriptions and gas and eat too. If I don't take Relafen it won't kill me, but it will certainly change my life. I won't be able to walk. We should not have to live like that.''

It was for Vi and those like her that we introduced the Prescription Drug Fairness for Seniors Act. No older American should ever again have to choose between buying the drugs prescribed by their doctors and buying food for their tables or heat for their homes.

The legislation achieves these goals by allowing pharmacies that serve Medicare beneficiaries to purchase prescription drugs at the low price available under the federal supply schedule through the Secretary of the Department of Health and Human Services. The legislation has been estimated to reduce prescription drug prices for seniors by over 40 percent.

I understand that Pharmaceutical Research and Manufacturers of America President Alan Homer recently said: ''the well-meaning efforts of the bill's sponsors unfortunately are likely to backfire on America's seniors. In a very real sense, this bill is a dagger pointed at the hearts of America's senior citizens.''

This quote comes from an industry whose annual profits of the top ten drug companies is nearly $20 billion. Pharmaceuticals rank as the number one industry in return in revenues and return on assets. Yes, pharmaceuticals rate well above the telecommunications and computer industries.

It is time to level the playing field and stop this price discrimination. It is time to put seniors' lives ahead of pharmaceutical profits. Support the Prescription Drug Fairness for Seniors Act.

PRESCRIPTION DRUG PRICING

HON. HAROLD E. FORD, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, October 9, 1998

Mr. FORD. Mr. Speaker, at its core, the issue we are discussing today—the astronomically high prices seniors pay for prescription drugs—is about fairness.

Anyone in America who has older relatives or friends who are living on a fixed income and taking prescriptions drugs, understands first-hand the devastating impact that the high cost of medication can have on the health and well-being of seniors.

As we all know, with age comes a greater susceptibility to health problems. As such, it is no surprise that: on average Americans over the age of 65 spend three times as much of their income (over 20%) on health care than Americans under the age of 65; 75% of Americans 65 and older take prescription drugs; on average older Americans take 2.4 prescription drugs at any one time; and even though older Americans only comprise 12% of the population, they take 33% of the nation's prescription drugs.

One would think that since older Americans make-up such a large segment of the market for prescription drugs that they would pay reasonable prices for their medication.

Unfortunately, that is not the case. Rather due to a pharmaceutical industry practice known as ''cost-shifting'' and the limited powers of seniors, they get the short end of the stick compared to HMO's and other ''most favored customers'' when it comes to the cost of drugs.

For example, studies conducted by the Government Reform & Oversight Committee of Congressional districts across the nation (see Attachment ''Prescription Drug Pricing in the 9th Congressional District in Tennessee, Drug Companies Profit at the Expense of Older Americans'') shows that for commonly prescribed drugs, seniors on average pay between 96%–104% more than ''most favored customers.'' Back home in my Congressional District, seniors who have suffered a stroke or have high blood pressure or depression, can pay anywhere from $110–$275 for their prescription medication. For the senior in my District that is taking the national average of 2.4 prescription drugs, that means a medication bill of: at least $264 a month or $3,168 a year; or at most $633 a month or $7,600 a year.

No matter how you cut it, these prices and the discrepancy in cost between what seniors and HMOs pay is fundamentally unfair and must come to an end. In my view, if anything, seniors and not HMOs should be the ''most favored customers'' of pharmaceutical companies.

Fortunately, thanks to the leadership of my colleagues JIM TURNER and TOM ALLEN, we now have legislation—the Prescription Drug Fairness Act and the Prescription Drug Fairness for Seniors Act—designed to help level the playing field when it comes to the cost of prescription drugs. Under these measures, the price of medication for seniors will be reduced, among other ways, by: providing Medicare beneficiaries with a drug benefit card that will entitle the holder to purchase drugs at reduced prices from participating pharmacies; and allowing pharmacies to purchase drugs at the same lower price as the Federal Government, thus allowing pharmacies to pass the savings on to seniors.

As Congress continues in the weeks and months ahead to discuss and debate the scope and nature of health care reform, it is critically important that we take the time to confront issues like this—issues that affect the ability of millions of Americans to receive quality health care in an efficient and cost effective manner.

As a public policy maker at the federal level, I believe Congress has a responsibility to help

protect seniors—who because of their pressing health needs and limited incomes are particularly vulnerable—from the unreasonably high costs of prescription drugs.

The Prescription Drug Fairness Act and the Prescription Drug Fairness for Senior Act are designed to accomplish just that.

PRESCRIPTION DRUG PRICING IN THE 9TH CONGRESSIONAL DISTRICT IN TENNESSEE DRUG COMPANIES PROFIT AT THE EXPENSE OF OLDER AMERICANS

EXECUTIVE SUMMARY

This staff report was prepared at the request of Rep. Harold E. Ford, Jr. of Tennessee. In Mr. Ford's district, as in many other congressional districts around the country, older Americans are increasingly concerned about the high prices that they pay for prescription drugs. Mr. Ford requested that the minority staff of the Committee on Government Reform and Oversight investigate this issue.

Numerous studies have concluded that many older Americans pay high prices for prescription drugs and have a difficult time paying for the drugs they need. This study, the first of its kind in Tennessee, presents new and disturbing evidence about the cause of these high prices. The findings indicate that older Americans and others who pay for their own drugs are charged far more for their prescription drugs than are the drug companies' most favored customers, such as large insurance companies and health maintenance organizations. The findings show that a senior citizen in Mr. Ford's district paying for his or her own prescription drugs must pay, on average, over twice as much for the drugs as the drug companies' favored customers. The study found that this is an unusually large price differential—more than five times greater than the average price differential for other consumer goods.

It appears that drug companies are engaged in a form of ''discriminatory'' pricing that victimizes those who are least able to afford it. Large corporate and institutional customers with market power are able to buy their drugs at discounted prices. Drug companies then raise prices for sales to seniors and others who pay for drugs themselves to compensate for these discounts their favored customers.

Older Americans are having an increasingly difficult time affording prescription drugs. By one estimate, more than one in eight older Americans has been forced to choose between buying food and buying medicine. Preventing the pharmaceutical industry's discriminatory pricing—and thereby reducing the cost of prescription drugs for seniors and other individuals—will improve the health and financial well-being of millions of Americans.

A. Methodology

This study investigates the pricing of the ten brand name prescription drugs with the highest sales to the elderly. It estimates the differential between the price charged to the drug companies' most favored customers, such as large insurance companies and HMOs, and the price charged to seniors. The results are based on a survey of retail prescription drug prices in chain and independently owned drug stores in Mr. Ford's congressional district in Tennessee. These prices are compared to the prices paid by the drug companies' most favored customers. For comparison purposes, the study also estimates the differential between prices for favored customers and retail prices for other consumer items.

B. Findings

The study finds that:

Older Americans in Tennessee pay inflated prices for commonly used drugs. For the ten drugs investigated in this study, the average price differential in Mr. Ford's district was 115% (Table 1). This means that senior citizens and other individuals who pay for their own drugs pay more than twice as much for these drugs than do the drug companies' most favored customers.

TABLE 1: AVERAGE RETAIL PRICES FOR THE BEST-SELLING DRUGS FOR OLDER AMERICANS IN TENNESSEE ARE TWICE AS HIGH AS THE PRICES THAT DRUG COMPANIES CHARGE THEIR MOST FAVORED CUSTOMERS

Prescription drug	Manufacturer	Use	Price for favored customers	Retail Prices for Tennessee senior citizens	Price differential for Tennessee senior citizens (percent)
Ticlid	Hoffman-LaRoche	Stroke	$33.57	$120.02	258
Zocor	Merck	Cholesterol	42.95	111.05	159
Prilosec	Astra/Merck	Ulcers	58.38	118.97	104
Norvasc	Pfizer Inc.	High Blood Pressure	58.83	118.02	101
Procardia XL	Pfizer Inc.	Heart Problems	67.35	133.07	98
Relafen	Smithkline Beecham	Arthritis	62.58	122.76	96
Vasotec	Merck	High Blood Pressure	56.08	109.32	95
Fosamax	Merck	Osteoporosis	31.86	58.28	83
Zoloft	Pfizer, Inc.	Depression	123.88	220.10	78
Cardizem CD	Hoechst Marrion Roussel	Angina/Hypertension	99.36	175.02	76
Average price differential					115

For other popular drugs, the price differential is even higher. This study also analyzed a number of other popular drugs used by older Americans, and in some cases found even higher price differentials (Table 2). The drug with the highest price differential was synthroid, a commonly used hormone treatment manufactured by Knoll Pharmaceuticals. For this drug, the price differential for senior citizens in Tennessee was 1,512%. An equivalent dose of this drug would cost the manufacturer's favored customers only $1.78, but would cost the average senior citizen in Tennessee $28.69. For Micronase, a diabetes treatment manufactured by Upjohn, an equivalent dose would cost the favored customers $6.89, while seniors in Tennessee are charged $48.33. The price differential was 601%.

TABLE 2: PRICE DIFFERENTIALS FOR SOME DRUGS ARE MORE THAN 1,500%

Prescription drug	Manufacturer	Use	Prices for favored customers	Retail prices for Tennessee senior citizens	Price differential for Tennessee senior citizens (percent)
Synthroid	Knoll Pharmaceuticals	Hormone treatment	$1.78	$28.69	1512
Micronase	Upjohn	Diabetes	6.89	48.33	601

Price differentials are far higher for drugs than they are for other goods. This study compared drug prices at the retail level to the prices that the pharmaceutical industry gives its most favored customers, such as large insurance companies and HMOs. Because these customers typically buy in bulk, some difference between retail prices and ''favored customer'' prices would be expected. The study found, however, that the differential was much higher for prescription drugs than it was for other consumer items. The study compared the price differential for prescription drugs to the price differentials on a selection of other consumer items. The average price differential for the ten prescription drugs was 115%, while the price differential for other items was only 22%. Compared to manufacturers of other retail items, pharmaceutical manufacturers appear to be engaging in significant price discrimination against older Americans and other individual consumers.

Pharmaceutical manufacturers, not drug stores, appear to be responsible for the discriminatory prices that older Americans pay for prescription drugs. In order to determine whether drug companies or retail pharmacies were responsible for the high prices being paid by seniors in Mr. Ford's congressional district, the study compared average wholesale prices that pharmacies pay for drugs to the prices at which the drugs are sold to consumers. This comparison revealed that Tennessee pharmacies appear to have relatively small markups between the prices at which they buy prescription drugs and the prices at which they sell them. The retail prices in Tennessee are 8% above the published national Average Wholesale Price. The differential between retail prices and a second indicator of pharmacy costs, the prices from one wholesaler, is only 27%. This indicates that it is drug company pricing policies that appear to account for the inflated prices charged to older Americans and other customers.

I. THE VULNERABILITY OF OLDER AMERICANS TO HIGH DRUG PRICES

This report focuses on a continuing, critical issue facing older Americans—the cost of their prescription drugs. Numerous surveys and studies have concluded that many older Americans pay high costs for prescription drugs and are having a difficult time paying for the drugs they need. The cost of prescription drugs is particularly important for older Americans because they have more medical problems, and take more prescription drugs, than the average American. This situation is exacerbated by the fact that the Medicare program, the main source of health care coverage for the elderly, fails to cover the cost of most prescription drugs.

According to the National Institute on Aging, ''as a group, older people tend to have more long-term illnesses—such as arthritis, diabetes, high blood pressure, and heart disease—than do younger people.''[1] Other chronic disease which disproportionately affect older Americans include depression and neurodegenerative diseases such as Alzheimer's disease, Lou Gehrig's disease, and Parkinson's disease.*

According to the American Association of Retired Persons, older Americans spend almost three times as much of their income (21%) on health care than do those under the age of 65 (8%), and more than three-quarters of Americans aged 65 and over are taking prescription drugs.[2]

The average older American takes 2.4 prescription drugs.[3] More importantly, older Americans take significantly more drugs on average than the under-65 population.[4] It is estimated that the elderly in the United States, who make up 12% of the population, use one-third of all prescription drugs.[5]

Although the elderly have the greatest need for prescription drugs, they often have the most inadequate insurance coverage for the cost of these drugs. A 1996 AARP survey indicated that 37% of older Americans do not have insurance coverage for prescription drugs.[6] As a result, many older Americans—a large percentage of whom live on a limited, fixed income—are forced to pay the full, out-of-pocket expense of prescription drugs.

The primary reason for this burden is that, with the exception of drugs administered during in-patient hospital stays. Medicare generally does not cover prescription drugs. While Medicare managed care plans may offer optional prescription drug coverage, they are available only as an option subject to the discretion and fiscal priorities of the health plans. Moreover, these Medicare managed plans currently serve only a small portion of the Medicare population.

Although Medicare beneficiaries can purchase supplemental ''Medigap'' insurance privately, these policies are often prohibitively expensive or inadequate. For example, one of the standardized Medigap policies available provides only a $3,000 drug benefit, while still leaving beneficiaries vulnerable to a high deductible and to paying at least half of their total drug cost.[7]

Medicare beneficiaries without public or private prescription drug coverage are the group most at risk of high out-of-pocket prescription drug costs. According to the Senate Special Committee on Aging, this group includes those ''who are not poor enough to receive Medicaid, do not have employer-based retiree prescription drug coverage, and cannot afford any other private prescription drug insurance plans.''[8]

The high costs of prescription drugs, and the lack of insurance coverage, directly affect the health and welfare of older Americans. In 1993, 13% of older Americans surveyed reported that they were forced to choose between buying food and buying medicine.[9] By another estimate, five million older Americans are forced to make this difficult choice.[10]

II. ARE DRUG COMPANIES EXPLOITING THE VULNERABILITY OF OLDER AMERICANS?

Rep. Harold E. Ford, Jr. of Tennessee asked the minority staff of the Committee on Government Reform and Oversight to investigate whether pharmaceutical manufacturers are taking advantage of older Americans through price discrimination, and if so, whether this is part of the explanation for the high drug prices being paid by older Americans in his congressional district. This report presents the results of this investigation.

Industry analysis have recognized that price discrimination occurs in the prescription drug market. According to a recent Standard & Poor's report on the pharmaceutical industry, ''[d]rugmakers have historically raised prices to private customers to compensate for the discounts they grant to managed care customers. This practice is known as 'cost shifting.'''[11] Under this practice, ''drugs sold to wholesale distributors and pharmacy chains for the individual physician/patient are marked at the higher end of the scale.''[12]

Although industry analyses acknowledge that price discrimination occurs, they have not estimated its degree or impact. This report, prepared at Mr. Ford's request, is the first attempt to quantify the extent of price discrimination and its impact on senior citizens in Tennessee.

The study design and methodology used to test whether drug companies are discriminating against older Americans in their pricing are described in part III. The results of the study are described in part IV. These results show that drug manufacturers appear to be engaged in substantial price discrimination against older Americans and other individuals who must pay for their own prescription drugs. Drug manufacturers' profitability is discussed in part V.

III. METHODOLOGY

A. Selection of Drugs for this Survey

This survey is based primarily on a selection of the ten patented, nongeneric drugs with the highest annual sales to older Americans in 1997. The list was obtained from the Pennsylvania Pharmaceutical Assistance Contract for the Elderly (PACE). The PACE program is the largest out-patient prescription drug program for older Americans in the United States for which claims data is available and is used in this study, as well as by several other analysts, as a proxy database for prescription drug usage by all older Americans. In 1997, over 250,000 persons were enrolled in the program, which provided over $100 million of assistance in filling over 2.8 million prescriptions.[13]

B. Determination of Average Retail Drug Prices for Seniors in Tennessee

In order to determine the prices that the elderly are paying for prescription drugs in Tennessee, the minority staff and the staff of Mr. Ford's congressional office conducted a survey of ten pharmacies in Mr. Ford's congressional district. Mr. Ford represents Tennessee's 9th Congressional District, located in Memphis.

C. Determination of Prices for Drug Companies' Most Favored customers

Drug pricing is complicated and drug companies closely guard their pricing strategies. The best publicly available indictor of the prices companies charge their most favored customers, such as large insurance companies and HMOs, is the Federal Supply Schedule (FSS).

The FSS is a price catalog containing goods available for purchase by federal agencies. Drug prices on the FSS are negotiated by the Department of Veterans Affairs. The Prices on the FSS closely approximate the prices that the drug companies charge their most favored nonfederal customers. According to the U.S. General Accounting Office (GAO), ''[u]nder [General Services Administration] procurement regulations, VA contract officers are required to seek an FSS price that *represents the same discount off a drug's list price that the manufacturer offers its most-favored nonfederal customer* under comparable terms and conditions.''[14] Thus, in this study, FSS prices are used to represent the prices drug companies charge their most favored customers.

D. Determination of Prices Paid by Pharmacies

The survey also looked at two other pricing indicators: (1) the Average Wholesale Price (AWP) and (2) the prices charged pharmacies by a large drug wholesaler. These two prices provide an indicator of the extent of markups that are attributable to the pharmacy (in contrast to those that are due to the drug manufacturer). The AWP is an average of prices charged by the drug wholesalers to retail pharmacies. The AWP prices were obtained from the 1997 Drug Topics Red Book.[15] As another measure of wholesale prices, the study used the wholesale prices charged pharmacies by McKesson, the world's largest wholesaler.

E. Determination of Drug Dosages

When comparing prices, the study used the same criteria (dosage, form, and package size) used by the GAO in its 1994 report, Prescription Drugs: Companies Typically Charge More in the United States Than in Canada. For drugs that were not included in the GAO report, the study used the dosage, form, and package size common in the years 1994 through 1997, as indicated in the Drug Topics Red Book.

F. Comparison of Price Differentials for Other Retail Items

In order to determine whether the differential between FSS prices and retail prices for drugs commonly used by older Americans is unusually large, the study compared the prescription drug price differentials to price differentials on other consumer products. To make this comparison, a list of consumer items other than drugs available through the FSS was assembled. FSS prices were then compared with the retail prices at which the items could be bought at a large national chain.[16]

IV. DRUG COMPANIES CHARGE OLDER AMERICANS DISCRIMINATORY PRICES

A. Discrimination in Drug Pricing

For the ten patented, nongenetic drugs most commonly used by seniors, the average differential between the price that would be paid by a senior citizen in Mr. Ford's congressional district and the price that would be paid by the drug companies' most favored customers was 115% (Table 1). The study thus showed that the average price that older Americans and other individual consumers in Mr. Ford's district pay for these drugs in more than double the price paid by the drug companies' favored customers, such as large insurance companies and HMOs.

For individual drugs, the price differential was even higher. Among the ten best selling drugs, the highest price differential was 258% for Ticlid, a stroke treatment manufactured by Hoffman-LaRoche. Zocor, a cholesterol-reducing drug manufactured by Hoffman-LaRoche, had a price differential of 159%.

For other popular drugs, the study found even greater price differentials. The drug with the highest price differential was

*Footnotes appear at end of article.

Synthroid, a commonly used hormone treatment manufactured by Knoll Pharmaceuticals. For this drug, the price differential for senior citizens in Tennessee was 1,512%. An equivalent dose of this drug would cost the most favored customers only $1.78 but would cost the average senior citizen in Tennessee $28.69. for Micronase, a diabetes treatment manufactured by Upjohn, the price differential was 604%.

Every drug looked at in this study had a large price differential. Eight of the ten best-selling drugs had price differentials of over 80%. Four of the ten drugs had price differentials over 100%. Cardizem CD, the drug with the lowest markup, still had a differential of 76%.

B. Comparison With Other Consumer Goods

The study also analyzed whether the large differentials in prescription drug pricing could be attributed to a volume effect. The drug companies' most favored customers, such as large insurance companies and HMOs, typically buy large volumes of drugs. Thus, it could be expected that there would be differences between the prices charged the most favored customers and retail prices. The study found, however, that the differentials in prescription drug prices were much greater than the differentials in prices for other consumer goods. The study found that, in the case of other consumer goods, the average differential between retail prices and the prices charged most favored customers, such as large corporations and institutions, was only 22%. The average price differential in the case of prescription drugs was more than five larger than the average price differential for other consumer goods. This indicates that a volume effect is unlikely to explain the large differential in prescription drug pricing.

C. Drug Company Versus Pharmacy Responsibility

Finally, the study sought to determine whether drug companies or retail pharmacies were responsible for the high prices being paid by older Americans. To do this, the study compared the average wholesale prices that pharmacies pay for drugs to the prices at which the drugs are sold to consumers. This comparison revealed that pharmacies appear to have relatively small markups between the prices at which they buy prescription drugs and the prices at which they sell them. The study found that the average retail price for the ten most common drugs was only 8% higher than the published national Average Wholesale Price, and only 27% higher than the price available directly from one large wholesaler. This finding indicates that it is drug company pricing policies, not retail markups, that account for the inflated prices charged to older Americans and other individual customers. These findings are consistent with other experts who have concluded that because of the competitive nature of the pharmacy business at the retail level, there is a relatively small profit margin for retail pharmacists.[17]

Moreover, the study found few differences between retail prices at pharmacies in different parts of Mr. Ford's district. Further, although there were variations in prices between chain and independent pharmacies, these differences were small and not systematic.[18]

V. DRUG MANUFACTURER PROFITABILITY

Drug industry pricing strategies have boosted the industry's profitability to extraordinary levels. The annual profits of the top 10 drug companies is nearly $20 billion.[19] Moreover, the drug companies make unusually high profits compared to other companies. The average manufacturer of branded consumer goods, such as Proctor & Gamble or Colgate-Palmolive, has an operating profit margin of 10.5%. Drug manufacturers, however, have an operating profit margin of 28.7%—nearly three times greater.[20]

These high profits appear to be directly linked to the pricing strategies observed in this study. For instance, Merck, the country's largest pharmaceutical manufacturer, had an increase in profits of 15% to 18% in the second quarter of 1998. According to industry analysts, Merck's increased profits were due in large part to sales of Zocor and Fosamax.[21] Both of these drugs are sold at large price differentials to seniors and other individual consumers in Mr. Ford's district. Zocor, which is sold in Mr. Ford's district at a price differential of 159%, itself accounts for 6% of Merck's revenue.[22]

Overall, profits for the major drug manufacturers are expected to grow by about 20% in 1998, compared to 5% to 10% for other companies on the Standard & Poors Index. The drug manufacturers' profits are expected to grow by up to an additional 25% in 1999.[23] According to one analyst, ''the prospects for the pharmaceutical industry are as bright as they've even been.''[24].

APPENDIX A.—INFORMATION ON PRESCRIPTION DRUGS ANALYZED IN THIS STUDY

Brand name drug	Dosage and form	Indication	Prices (dollars)				
			FSS	Major wholesaler	AWP	Average retail price	Price differential (percent)
Ticlid	250 mg, 60 tablets	Stroke	$33.57	$99.44	$108.90	$120.02	258
Zocor	5 mg, 60 tablets	Cholesterol reducer	42.95	85.47	106.84	111.05	159
Norvasc	5 mg, 90 tablets	Blood pressure	58.83	97.92	125.66	118.02	101
Relafen	500 mg, 100 tablets	Arthritis	62.58	88.88	111.10	122.76	96
Prilosec	20 mg, 30 capsules	Ulcer	58.38	99.20	108.90	118.97	104
Procardia XL	30 mg, 100 tablets	Heart	67.35	105.05	131.31	133.07	98
Fosamax	10 mg, 30 tablets	Osteoporosis	31.86	50.91	51.88	58.28	83
Vasotec	10 mg, 100 tablets	Blood pressure	56.08	85.56	102.94	109.32	95
Cardizem CD	240 mg, 90 tablets	Angina	99.36	154.10	165.42	175.02	76
Zoloft	50 mg, 100 tablets	Depression	123.88	172.44	215.55	220.10	78
Average price differential							115

APPENDIX B.—THE 10 TOP SELLING PATENTED, NON-GENERIC DRUGS FOR SENIORS RANKED BY TOTAL DOLLAR SALES

Rank	Drug	Manufacturer	Indication
1	Prilosec	Astra/Merck	Ulcer.
2	Norvasc	Pfizer, Inc	High Blood Pressure.
3	Zocor	Merck	Cholesterol reduction
4	Zoloft	Pfizer, Inc	Depression.
5	Procardia XL	Pfizer, Inc	Heart Problems.
6	Vasotec	Merck	High Blood Pressure.
7	Cardizem CD	Hoechst Marion Roussel.	Angina.
8	Ticlid	Hoffman-LaRoche	Stroke.
9	Fosamax	Astra/Merck	Osteoporosis.
10	Relafen	Smithkline Beecham	Arthritis.

Source: Pharmaceutical Assistance Contract for the Elderly (''PACE''), Pennsylvania Department of Aging, Annual Report to the Pennsylvania General Assembly (January 1–December 31, 1997).

APPENDIX C.—PRICE COMPARISONS FOR NON-PRESCRIPTION DRUG ITEMS

Item	FSS price	Retail price	Differential (percent)
Binder Clip, small, 1 box	$0.49	$0.49	0
Rubber Bands, 1 lb	2.57	2.67	4
Toilet Paper, 96 Rolls	44.74	47.98	7
Rolodex, 500 cards	13.24	14.29	8
Tape Dispenser	1.44	1.69	17
Wastebasket, Plastic, 13 qt	2.95	3.49	18

APPENDIX C.—PRICE COMPARISONS FOR NON-PRESCRIPTION DRUG ITEMS—Continued

Item	FSS price	Retail price	Differential (percent)
Scissors	10.88	12.99	19
Pencils, #2, 20-pack	1.03	1.26	22
Paper Towels	22.94	29.98	31
Post-It Notes	2.08	2.89	39
Envelopes, 500, White, 20 lb. weight	6.45	9.49	47
Correction Fluid, 18 ml., dozen	6.66	9.99	50
Average price differential			22

FOOTNOTES

[1] National Institute on Aging (NIA), NIA Age Page (www.nih.gov/nia/health/pub/medicine.htm).

[2] AARP Public Policy Institute and the Lewin Group, Out of Pocket Health Spending By Medicare Beneficiaries Age 65 and Older: 1997 Projections (February 1997).

[3] AUS/ICR for the American Association of Retired Persons, National Pharmaceutical Council, and Pharmaceutical Executive Magazine, Survey on Prescription Drug Issues and Usage Among Americans Aged 50 and Older, I (May 1996).

[4] Senate Special Committee on Aging, Developments in Aging: 1996, 1 S. Rep. 36, 105th Cong., 1st Sess. 121 (1997).

[5] Senate Special Committee on Aging, Developments in Aging: 1993, 1 S. Rep. 403, 103d Cong., 2d Sess. 35 (1994).

[6] AARP Public Policy Institute and the Lewin Group, supra note 1.

[7] Families USA Foundation, Worthless Promises: Drug Companies Keep Boosting Prices, 6 (March 1995).

[8] Senate Report 36, supra note 4, at 122.

[9] Families USA Foundation, supra note 7, at 6.

[10] Senate Special Committee on Aging, A Status Report—Accessibility and Affordability of Prescription Drugs For Older Americans, S. Rep. 100, 102d Cong., 2d Sess. 2 (1992).

[11] Herman Saftlas, Standard & Poor's, Healthcare: Pharmaceuticals, Industry Surveys, 19–20 (December 18, 1997).

[12] Id., at 19.

[13] Pharmaceutical Assistance Contract for the Elderly (''PACE''), Pennsylvania Department of Aging, Annual Report to the Pennsylvania General Assembly (January 1–December 31, 1997).

[14] U.S. General Accounting Office, Drug Prices: Effects of Opening Federal Supply Schedule for Pharmaceuticals Are Uncertain (June 1997) (emphasis added).

[15] Medical Economics Company, Inc., 1997 Drug Topics Red Book.

[16] The items were binder clips, rubber bands, toilet paper, rolodexes, tape dispensers, wastebaskets, scissors, pencils, paper towels, post-it notes, envelopes, and correction fluid.

[17] National Association of Chain Drug Stores, Did You Know ... (pamphlet) [citing financial data assembled by Keller Bruner & Company, P.C., Certified Public Accountants (1995)].

[18] In 1993, independent pharmacies sued 19 drug manufacturers, alleging that the differential between the prices charged most favored customers and the prices charged pharmacies violated antitrust laws. In 1996, 11 of these drug manufacturers agreed to settle with the pharmacies. Under this

agreement, these pharmaceutical companies promised to offer pharmacies the same price discounts as favored customers like large HMOs if the pharmacies could show the same ability to move market share as the favored customers. On July 13, 1998, four additional drug manufacturers agreed to a settlement under similar terms.

Unfortunately, the results of this study cast doubt on whether these agreements are likely to end the price discrimination practices of the large pharmaceutical companies. Eight of the ten most popular prescription drugs in this survey—Zocor, Norvasc, Prilosec, Procardia XL, Relafen, Vasotec, Fosamax, and Zoloft—are covered by the agreement reached in 1996, and there is still large price discrimination for all of these drugs. Synthroid is also covered under the agreement, and this drug has a price differential of 1,512%.

The reason for the continued high price differentials may be that, unlike hospitals or HMOs, pharmacies cannot control decisions made by doctors about what drugs to prescribe, and thus are unable to demonstrate to the drug manufacturers that they can influence market share. The doubts raised by this study are consistent with the observations of other industry analysts, who note that ''there is already intense skepticism among retail buying groups for independent drugstores about whether the smaller independents will have the ability to qualify for the potential windfall and pass the savings on to customers.'' Wall Street Journal, Drug Makers Agree To Offer Discounts For Pharmacies, July 15, 1998, p. B4, column 3.

[19] See 1998 Fortune 500 Industry List (www.pathfinder.com/fortune500/indlist.html).

[20] Paul J. Much, Houlihan Lokey Howard & Zukin, Expert Analysis of Profitability (February 1988).

[21] USA Today, Drugmakers Have Healthy Outlook (July 20, 1998).

[22] IMS America, Top 200 Drugs of 1997 (1998).

[23] USA Today, supra note 22.

[24] Id., D1.

PRESCRIPTION DRUG PRICING

HON. BERNARD SANDERS

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Friday, October 9, 1998

Mr. SANDERS. Mr. Speaker, I want to bring attention to a crisis in our nation. Our seniors are dying because they cannot afford the medication prescribed to them by their doctors. Either they don't take their medicine, or they stop eating in order to save money to fill their prescriptions. This is a travesty.

I am pleased to join my colleagues in supporting the Prescription Drug Fairness for Seniors Act, which will allow elderly Americans to purchase their prescriptions at a lower and fairer price. Currently, many large groups, such as HMOs, insurance companies, and hospitals, purchase drugs at a reduced price from the pharmaceutical companies. These are known as most favored customers. However, one group that makes up about one-third of the drug-buying market is left out of this discount—Medicare beneficiaries.

The Prescription Drug Fairness for Seniors Act will give Medicare beneficiaries a drug benefit card that they can use to purchase prescription drugs at reduced prices from participating pharmacies. The Government Reform and Oversight Committee estimates that seniors will be able to receive more than a 40-percent discount. This will be a much-needed, in fact, lifesaving, change for our nation's elderly citizens.

The average income for all seniors was $17,000 in 1996. However, that number plummets to only $13,000 per year for elderly women, or just over $1,000 per month. Many seniors pay at least one-half that amount for prescription drugs. It is absurd to charge those individuals who can least afford it the highest prices for their needed medication. I've heard from seniors in my state that they not only are paying a huge amount of their monthly income for prescriptions, but that they don't know how they can deal with the prices that continue to rise.

And our seniors are somewhat lucky in Vermont. There are two programs run by the state that give low-income seniors help with paying for their prescription drugs. One program, V-HAP, is for very low-income seniors who earn too much for Medicaid. This program allows seniors to pay just a few dollars a month for their drugs. The other program, VScript, has a higher income threshold and gives seniors with chronic illnesses a 50-percent discount on their prescriptions. And still, many seniors either do not know about these state programs, or they take advantage of them and still find it difficult to pay for their drugs, even with the 50-percent discount!

In two recent cases in Vermont, my constituents went to have their prescriptions refilled and found that the price had more than doubled in less than 2 months with no notice to them. This is ridiculous! One of the pharmacists even had the audacity to ridicule one of my constituents when she became upset at the huge increase in price and wondered how to pay for it.

Another of my constituents, Katherine Bentley, whose story is mentioned in my Vermont report on seniors' drug prices, was unable to pay her electric bill because she was paying almost $600 per month—more than half her income—for her prescription drugs. This forced her out of her home and she still cannot afford all of her medication. Our seniors deserve to be treated much, much better than this.

In recent years, many Members of Congress, including myself, have advocated having Medicare cover prescription drugs. I still believe that this is a fair, solid proposal. However, why should the Federal Government take up the cost of this plan when the pharmaceutical companies, with annual profits in the billions of dollars, which put them on the Forbes 50 list annually, could and should offer the same discount to Medicare beneficiaries as they offer to HMOs and insurance companies? Who do we side with here? The multibillion dollar pharmaceutical companies or poor, sick, elderly Americans who need prescription drugs? It is only fair to allow Medicare beneficiaries with their considerable buying power, to get the same discount on their drugs as large corporations.

In addition to allowing seniors to purchase drugs at this reduced rate, another solution to providing lower-cost drugs for all Americans, including the elderly, is to reinstate the reasonable pricing clause at NIH. This provision was repealed in 1995. It directed NIH to take into account the cost that a pharmaceutical company would charge future customers for a drug before agreeing to issue a cooperative research and development agreement (CRADA). I have introduced bipartisan legislation, along with Representatives ROHRABACHER, CAMPBELL, and PATRICK KENNEDY, to reinstate this provision. The bill is H.R. 3758, the Health Care Research and Development and Taxpayer Protection Act.

Let me detail how important the reasonable pricing clause is. Today, drug companies charge whatever they want for drugs. Taxpayers get hit twice—once when their tax dollars go to develop these drugs at NIH and again when they have to buy the medication.

Here are some examples of how the taxpayers are gouged by the pharmaceutical companies: Taxol, a breast cancer treatment drug, costs its manufacturer, Bristol Myers Squibb, $500. Bristol Myers Squibb turns around and charges $10,000 for that drug. This drug makes the pharmaceutical company $1 million every day. In this decade, two million women will be diagnosed with breast cancer—½ million of them will die. They are dying because they do not have $10,000 for Taxol, which would save thousands of lives. Levamisole, which was sold by Johnson&Johnson as an anti-worm drug for sheep at six cents a pill, was found to treat colon cancer. With this discovery, Johnson&Johnson began charging $6 a pill, a 100-percent markup. Colorectal cancer killed over 50,000 Americans in 1995. Again, seniors are dying because they cannot afford these ridiculously expensive drugs to treat their cancer.

I hope that we can pass both pieces of legislation quickly—both the seniors drug pricing legislation and the NIH reasonable pricing clause legislation—as many of my constituents have urged, so that no more seniors are forced out of their homes, or are forced to choose between food or medicine. This is disgraceful and we need to give seniors access to their medication at a fair price.

PRESCIPTION DRUG PRICING

HON. JOHN F. TIERNEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 9, 1998

Mr. TIERNEY. Mr. Speaker, and I would first like to thank my good friend from Maine, Tom Allen, for his work to end the gouging of prices for prescription drugs by pharmaceutical companies.

We have heard horror stories about seniors forgoing food, electricity or other necessities in order to pay for their monthly medications. In some instances, seniors will choose one medication of the other, alternating each month, because they simply cannot afford to be buying everything they need. We have seen the profits of pharmaceutical companies skyrocket to nearly $20 billion a year. And there profits will continue to grow, at the expense of our nation's seniors. It is time to end this cycle of discrimination.

In Massachusetts, we are fortunate to have a number of safety nets in place to help seniors with their prescription drug needs. Our state Medicaid system, MassHealth, protects the poorest of the poor. Our State Pharmacy Program provides up to $750 a year in prescription drug coverage. The State Legislature even passed a law in 1994 to require all Medicare HMO's to provide an optional prescription drug benefit. Approximately 75 percent of the 211,000 beneficiaries in the state enrolled in Medicare HMO's benefit from this option.

However, there are many who fall through the cracks and for reasons beyond their control, are not eligible for any federal or state assistance.

For example, Georgia LaPine from North Andover, MA is a 74 year old retiree who is completely dependant on her monthly Social Security check. She is on numerous medications, including three different asthma inhalers,

thyroid pills, nitroglycerine for a heart condition, and Lorazepam for her nerves. She cannot afford to purchase all of these medications each month. Subsequently, she was forced to forgo her heart medication, and has had trouble affording groceries. Georgia tries to put money aside each month to buy the medication she needs, but each time she foregoes any medication or doesn't eat properly, he condition worsens. She constantly worries about her monthly prescription requirements and as a result, her asthma and anxiety problems have worsened.

And it is not only the seniors who suffer. Thousands of independent pharmacies go out of business each year because they simply cannot afford to purchase certain drugs from pharmaceutical companies. Pharmacists in my district care about their customers and have told me how painful it is to explain to a senior citizen why the medication that cost $15 last month now costs $65. But, if the pharmacy doesn't stock the medications, they will lose considerable business.

Jack Collins of Lynn Fells Pharmacy in Saugus, MA, stated ''They know that we will expose them and their pricing policies . . . it's independent pharmacist who will take the time to explain to a senior citizen just how they are being ripped off. We are their enemies and they are detemined to eliminate us.'' He goes on to say that, ''If you and your colleagues in Congress don't stand up to this cartel and level the playing field on prescription pricing, the people in this country paying cash for their medicines will continue to neglect filling their prescriptions, necessitating more hospital visits and further driving the cost of health care through the roof.''

It if becomes too late this session to act on legislation such as Mr. Allen's Prescription Drug Fairness for Seniors Act, I would urge my colleagues on both sides of the aisle to make this a priority for the 106th Congress. This is not a partisan issue. Every district has seniors like Georgia LaPine and independent pharmacists like Jack Collins. We constantly talk about protecting seniors and helping small businesses. We simply cannot continue to provide pharmaceutical companies with research and development funding and close our eyes to discriminatory pricing schemes that target seniors, among others, or their exorbitant price increases. This legislation that we have introduced would benefit seniors and pharmacies by allowing them to purchase low-cost prescription drugs by taking advantage of the purchasing power of existing Federal Supply Schedule prices.

This is a plan that is budget neutral, and which, given the drug manufacturers' uncommon profit margins, need not adversely affect prices in general. This is an effective and much-needed solution. I urge both the Republican and Democratic Leadership to make this issue a priority for the next session.

AUTHORIZING AWARD OF CONGRESSIONAL MEDAL OF HONOR TO THEODORE ROOSEVELT

SPEECH OF

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 8, 1998

Mr. CLAY. Mr. Speaker, if there had been a recorded vote rather than a voice vote on H.R. 2263, a bill to confer the Congressional Medal of Honor on Colonel Theodore Roosevelt, I would have voted ''no''. To honor the former President some 100 years after his alleged act of bravery during the battle of San Juan Heights, Cuba, would be just another example of how American history is constantly and erroneously revised.

Common sense should dictate that if Mr. Roosevelt accomplished the great and valiant deeds of heroism that he (Mr. Roosevelt) claims, then he would have been awarded the medal many years ago. If Roosevelt's popularity immediately following the Spanish American War played a major role in his being elected governor of New York and helped his many friends in the highest places of government, why was he denied the honor?

Roosevelt enlisted the aid of his political powerful friend, Senator Henry Cabot Lodge to pursue the matter and still was rejected. The primary basis for the rejection was there were no eyewitnesses to Mr. Roosevelt's courageous actions. His superior officers, Generals Leonard Wood, Joseph Wheeler and William Shafter all submitted glowing endorsements of Roosevelt's ''distinguished gallantry'', but they were viewed with little merit as none of them actually witnessed his alleged heroic charge. The only credible eyewitness was Roosevelt's personal publicist, Richard Harding Davis, who accompanied Roosevelt to Cuba.

Hundreds of highly decorated units of black soldiers were among the first to be sent to Cuba in 1898 to fight in the Spanish American War, including the 9th and 10th Calvary and the 24th and 25th Army Regiments. These heroic soldiers waged a furious battle, capturing El Caney and charging the enemy from the summit at San Juan Hill. Their acts of bravery enabled Colonel Roosevelt and his ''Rough Riders'' to win San Juan Hill the following day. According to an article which appeared in the *Washington Times* on February 8, 1991, ''Neither Col. Theodore Roosevelt, whose name is most commonly associated with the battle of San Juan Hill, nor any other Roughrider reached the summit before the black calvary''.

The Americans outnumbered the Spanish militia 10 to 1, but the undermanned Spaniard troops fought fiercely from their concrete blockhouses. American casualties were heavy. More than 200 were killed or injured. Five Negro soldiers won Congressional Medals of Honor for bravery in the battle at El Caney and San Juan Hill. They were Dennis Bell, Edward Baker, Fitz Lee, William Thomkins and George Wanton. Secretary of the Navy, Frank Knox, lauded them as being the ''bravest men'' he had ever seen.

Mr. Speaker, Teddy Roosevelt was no hero at San Juan and his insistence that he was is not sufficient to justify the House of Representatives authorizing the President to award him the Congressional Medal of Honor. This high distinction is reserved for those who have performed extraordinary fetes of bravery.

DESIGNATING OCTOBER 16TH AS ''SAN DIEGO MAGAZINE DAY''

HON. BRIAN P. BILBRAY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 10, 1998

Mr. BILBRAY. Mr. Speaker, it is with great pleasure that I rise today to pay tribute to San Diego Magazine on their 50th anniversary by joining the residents of San Diego in proclaiming October 16th ''San Diego Magazine Day.''

The San Diego publication has earned a reputation for remaining on the forefront of issues which are important to San Diegans. It is also known for articles which are always intelligently written, witty, and never cynical or disparaging. Throughout the years, the magazine has remained a source of unbiased and comprehensive coverage of local news and perspectives for its readers.

Since its debut in 1948, San Diego Magazine has followed matters which are still relevant today such as: the improvement of the downtown library; the San Diego airport which was designed to grow to meet the needs of the city; the need for an efficient public transportation system, and the need for better city planning in Mission Valley. In the last two decades, the magazine has also published stories addressing San Diego's exponential growth as a major business market, technology center, and tourist destination.

Fifty years of striving for excellence has paid off for San Diego Magazine. Its recent sweep of 17 Press Club Awards for high accomplishment in journalism, special publications, and art direction has made it a standard upon which many other regional magazines are modeling their publications.

Mr. Speaker, on behalf of my constituents, I extend my highest congratulations to San Diego Magazine on their Golden Anniversary. We look forward to many more years of forward-thinking and entertaining articles which beautifully reflect the character of the San Diego area.

LONG-TERM CARE PATIENT PROTECTION ACT OF 1998

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 10, 1998

Mr. TOWNS. Mr. Speaker, When a family makes the difficult decision to place an aging relative in a nursing home, they trust the institution to care properly for their loved one. However, over the last few years, numerous concerns have been raised about the quality of care and standards within the nursing home industry. At a time when this industry is experiencing explosive growth, I believe it is imperative that Congress institute safeguards to protect the most vulnerable members of our society.

As the Ranking Member of the Subcommittee on Human Resources, which has held numerous hearings examining our nation's nursing homes, I believe that introducing the Long-Term Care Patient Protection Act of 1998 today will take a pivotal step in the right direction. This bill represents part of the Administration's efforts to improve quality of care within the nursing home industry, and serves as a complement to H.R. 4686, a bill introduced by my esteemed colleague, Mr. Joseph P. Kennedy, II, of Massachusetts.

Specifically, the Long-Term Care Patient Protection Act of 1998, would allow qualified and trained paid staff other than nurses aides and licensed health professionals to provide feeding and hydration assistance to residents in nursing facilities participating in the Medicare and Medicaid programs. It would also

prevent a nursing facility from using any individual as a feeding and hydration assistant in the facility unless the individual has completed a training and competency evaluation approved by their respective state.

Mr. Speaker, I urge my colleagues to join my efforts to assist millions of families across this nation by supporting the Long-Term Care Patient Protection act of 1998.

TRIBUTE TO CHIEF OF POLICE, NORMAN N. CHAPMAN, JR.

HON. JOE SCARBOROUGH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 10, 1998

Mr. SCARBOROUGH. Mr. Speaker, on October 14, 1998, the citizens of Pensacola and the State of Florida will be losing a man who has dedicated his life to protecting the people of Florida and ensuring the triumph of justice in our community. This gentleman has distinguished himself as a community leader, a dedicated law enforcer, and one of our nation's leaders in the war on crime. The man I speak about today is Chief Norman Chapman of the Pensacola Police Department.

I could praise Chief Chapman for his nearly twenty-five years of law enforcement, during which he served in all phases of Uniform Patrol, Tactile Patrol in high crime areas, the Detective Bureau, Investigations, and in Personnel and Training. I could mention the modernization and efficiency that Chief Chapman brought to the Pensacola Police Department over the last four years as Chief of Police. Or I could applaud his efforts to bring to justice Ted Bundy, one of history's most heinous mass murderers. But I'm sure Norman would say that those accomplishments were just part of his duty.

However, in my opinion, Mr. Speaker, Norman has gone above and beyond the call of duty throughout his distinguished career in the field of law enforcement. At a time when our nation calls out for principled leadership from public officials, it is fitting that today we honor a law enforcement professional who always went the extra mile to protect our citizens while striving to support and defend the Constitution of the United States. During his tour in Viet Nam, Norman Chapman came to know and respect our God given rights of freedom. He has never forgotten how important those rights are to the American way of life.

Norman's overall attitude and dedication to public service has been a model in the lives of the hundreds of law enforcement officers and professionals that he has trained, supervised, and encouraged. His legacy will remind new recruits that when at all possible, law enforcement officers should go beyond the call of duty to assist citizens in any way possible and to protect our system of justice from any and all adversaries.

As Norman departs the Pensacola Police Department, he can take pride in knowing that he influenced so many people in a positive way. As a father of two young boys, I sleep better at night knowing that our streets are safer and that our children are protected because of the life-long efforts of Norman N. Chapman, Jr.

HOLY ROSARY CELEBRATES 90TH ANNIVERSARY

HON. JAMES H. MALONEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 10, 1998

Mr. MALONEY of Connecticut. Mr. Speaker, it is with great joy that I bring to the attention of the House of Representatives and the American public the celebration in my congressional district of the 90th Anniversary of Holy Rosary Parish in Ansonia, Connecticut.

In the very early 1900's, the rather large Catholic Italian community of Ansonia was served by another local parish that was first formed by Irish immigrants. Church leaders in Hartford recognized the distinct cultural and language differences in the existing parish and moved to create a new one. And, on October 4, 1908, the Feast of the Holy Rosary, Reverend Bonforti celebrated the first Mass for the Ansonia Italian community and took the name, Holy Rosary, in honor of the feast day.

Over the next several decades, the Church continued to grow and serve the community. Many people played a major role in this growth process, including the Reverend Peter Manfredi, who on April 3, 1913, was assigned to the church as its administrator and served in this capacity for over forty years. While ministering to the needs of the parishioners, he gave the church a firm foundation that helped guide it through some very difficult times. Reverend Anthony Salemi came to Holy Rosary in July, 1954. Through his enthusiasm and spiritual dedication, he led the church for the next decade, and most notably, through the rigors of purchasing and paying off their first church building. Miss Annie Larkin, a lay person, established the religious education program as well as most other church parish organizations and served the church as a Sunday school teacher for more than thirty years.

The Reverend Vincent Iannetta, who served as pastor for thirty years starting in June, 1965, provided the leadership that led to a new church and under whose tenure the parish truly matured. Father Ronald Genua now serves as pastor and in just three short years has touched and enriched the lives of parishioners throughout the congregation.

Mr. Speaker, Holy Rosary is a mainstay of the community and serves this diverse parish well. On behalf of the 5th Congressional District and the House of Representatives, I congratulate all parishioners and clergy, past and present, on this 90th Anniversary and send best wishes for a very successful celebration and all continued success.

TRIBUTE TO ADDISON McLEON

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 10, 1998

Mr. PAYNE. Mr. Speaker, I would like my colleagues here in the U.S. House of Representatives to join me in honoring a man whose contributions to his community and to the entire state of New Jersey are legendary, former Assemblyman Addison McLeon of Jersey City. He will be honored on October 22, 1998 at a special event: ''A Tribute to Addison McLean: A Lifetime of Community Leadership.''

Mr. McLeon made history when he was elected the first African American from Hudson County to serve in the State Assembly, a post he held from 1966 to 1970. He also served in the Jersey City Housing Authority, beginning in 1954; as a member of the Jersey City Board of Education; as Director of Housing for the Essex County Urban League; and as a member of the Jersey City Branch of the National Association for the Advancement of Colored People (NAACP). In addition, he is the founder of the Civic Awareness Council, a citizens' action organization.

Assemblyman McLeon, who was born on June 17, 1921, attended public schools in Jersey City, including School Number 14 and Lincoln High School. He enrolled in Lincoln University, Pennsylvania in 1940, but his education was interrupted by World War II in 1944. He served in the U.S. Air Force during the war, rising from the rank of private within a year to Personnel Sergeant Major, the highest rank for enlisted men. He returned to Lincoln University in September of 1948 and received a Bachelor of Arts degree. He married the former Louise Williams and they produced three children.

Although former Assemblyman McLeon is retired now, he has remained an active and passionate advocate for the cause of justice and continued progress. He has truly been an inspiration to all who have had the privilege of knowing him.

Mr. Speaker, I know my colleagues join me in congratulating former Assemblyman McLeon and wishing him all the best.

HONOR THE VICTIMS OF THE UKRAINIAN FAMINE

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 10, 1998

Mr. BONIOR. Mr. Speaker, the Ukrainian famine of 1932–33 stands as one of the most tragic events of this century.

Millions of Ukrainian men, women and children were starved to death in one of the cruelest acts of inhumanity every recorded.

Ukraine was the breadbasket of Europe. Its land was rich and productive. Its farmers helped to feed the world.

So it made no sense in 1932 when peasants began to scavenge around in harvested fields for food—or when their diets were reduced to nothing but potatoes, beets and pumpkins.

Peasants began leaving Ukraine, trying to search for food in Russia and other neighboring territories, but they were soon turned back.

Instead of planting seeds for the next crop, peasants were reduced to feeding those seeds to their children.

As a result, little grain was harvested for the next crop, and the situation grew worse.

Soon, people began dying—millions of people.

Incredibly, as many as ten million may have died in this famine.

That's fully one-quarter of the people in rural Ukraine.

Of course, the truth about the famine was not revealed for far too long a time.

The Kremlin was starving the people of Ukraine to death, because Josef Stalin and the Soviet dictators wanted to avoid mass resistance to collectivization.

So they killed the peasants—slowly, deliberately, diabolically—through mass starvation.

The West did little at the time to put an end to the man-made famine. They continued to buy grain at cheap prices from Russia, taking more food away from the Ukrainian people.

We should never forget this tragedy.

We should honor the memory of the millions of victims.

And we should support the efforts of the people of Ukraine, who were subjected to the famine and to decades of oppressive Soviet rule, as they continue on their path to democracy, respect for human rights, and economic progress.

Mr. Speaker, I urge my colleagues to support this important resolution and stand together with the people of Ukraine.

TRIBUTE TO STEVE WATKINS

HON. MARION BERRY

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 10, 1998

Mr. BERRY. Mr. Speaker, I rise today to pay tribute to a member of my staff who has decided to pursue a new career.

Steve Watkins has been a part of my team since I came to Congress in 1997. Indeed our association goes further than that as he was the Press Secretary for my first campaign for Congress. Steve was critical in managing my transition from candidate to Member and establishing a healthy relationship with members of the press in Arkansas. Within a short time I named him District Director in recognition of the vital role he was playing in the 1st District.

As a native of the 1st District and a resident of Jonesboro, Steve has given his time, talent, and dedication to the people of Arkansas for the last two years. He has helped them with their interactions with the federal government, with vital water and sewer projects, and responded to their concerns.

Steve has decided to pursue a career with Arkansas State University, his alma mater, and although their gain is our loss, Steve will always be a part of our team wherever he is.

Steve I wish you the best of success in your new career and continued happiness for you, Audrey, Adam and Emma. On behalf of the people of the 1st District, of my wife Carolyn, and of all your colleagues in Jonesboro and Washington, I thank you for a job well done and wish you continued happiness and success.

WORLD FOOD PROGRAMME'S FRONTLINE: DOUGLAS BRODERICK OF ROCKLAND COUNTY, NEW YORK

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 10, 1998

Mr. GILMAN. Mr. Speaker, Douglas Broderick of Rockland County, New York, is an important part of the U.N. World Food Program's (WFP) history. Working for WFP since 1992, Broderick has been on the frontline of numerous crises including the former Yugoslavia, Somalia, and Rwanda.

Today, as a WFP Senior Advisor to the Country Director in North Korea, Doug Broderick is the senior American helping to run the biggest emergency operation in WFP's history.

WFP, which has been marshaling food aid for North Korea since government mismanagement and destructive floods hit the country, appealed to the international community to provide more than 600,000 tons of emergency food aid worth $346 million for the 12 months through next March. Three years of disastrous flooding, droughts, and tidal waves exacerbated the already existing agricultural problems facing North Korea. The result has been chronic food shortages, widespread hunger, and malnutrition.

From Mr. Broderick's base in Pyongyang, WFP is currently delivering 392,000 tons of food to over 6 million persons or almost one-third of the population. He helps manage WFP operations including a staff of 74 and sub-offices in Chongjin, Hamhung, Sinuiju, and Wonson.

By the end of 1997, WFP was able to provide emergency food to over 2.6 million children aged 6 and under, one million hospital patients as well as 250,000 farmers participating in food-for-work agricultural projects.

In North Korea, children make up the largest group of recipients—totaling 5 million. WFP's aid targets the most vulnerable populations—children, pregnant, and nursing women, orphans and hospital patients.

On the event of World Food Day, I want to hail Doug Broderick and his team who are saving lives each day in North Korea. On behalf of Rockland County and the Nation as a whole, we are proud of Doug and his WFP colleagues in their work to end hunger around the world.

CONSOLIDATED TAX RETURN LEGISLATION

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 10, 1998

Mr. CRANE. Mr. Speaker, today, I am introducing, along with Representatives NANCY JOHNSON, BARBARA KENNELLY, JIM RAMSTAD and JERRY WELLER, legislation which would repeal a number of limitations contained in the consolidated return provisions of the Internal Revenue Code. These limitations, which were enacted in 1976, are a relic from a time when the financial services world, and the taxation of financial institutions, particularly insurance companies, was far different from today. The limitations serve no purpose today other than to make the application of the tax laws more complicated for both the taxpayers who have to follow them and for the Internal Revenue Service which must devote an inordinate amount of resources to review the tax returns when they are filed. Needless to say, these restrictions also place affiliated groups of corporations which include life insurance companies at an economic disadvantage compared with other corporate groups.

I had hoped that we would have been able to consider tax simplification in the consolidated return provisions this year, as part of our ongoing efforts to make the tax laws easier to understand and administer. Unfortunately, that did not happen. It is my hope that introduction of this bill now will serve as a vehicle to focus attention on this problem and lead to repeal of these limitations when we consider tax legislation next year.

BACKGROUND

With that introduction, I would like to give a short explanation of the issues that this legislation addresses.

The consolidated return provisions in the tax laws were enacted so that the members of an affiliated group of corporations could file a single tax return. The right to file a ''consolidated'' return is available regardless of the nature or variety of the businesses conducted by the affiliated corporations. The thinking behind this is easy to understand. We should be taxing a complete business entity, not separate parts. It should not matter whether an enterprise's businesses are operated as divisions within one corporation or as subsidiary corporation with a common parent company. If the group is one economic unit, it should have to file only one tax return each year. The tax return should reflect the taxable income of the entire enterprise.

Corporate groups which include life insurance companies, however, are denied the ability to file a single consolidated return until they have been affiliated for at least five years. Even after groups with life insurance companies are permitted to file on a consolidated basis, they are subject to two additional limitations that do not apply to any other type of affiliated group. First, non-life insurance companies must be members of an affiliated group for five years before their losses may be used to offset life insurance company taxable income. Second, non-life insurance affiliate losses (including current year losses and any carryover losses) that may offset life insurance company taxable income are limited to the lesser of 35 percent of life insurance company taxable income or 35 percent of the non-life insurance company's losses.

Prior to 1976, life insurance companies could not file consolidated returns with other affiliated companies. The inability to file consolidated returns was of little consequence until the 1960s and early 1970s when states first began to change the laws to allow life insurance companies to have subsidiaries. Thus, the rules in present law were considered a modest step in the right direction.

The historical argument against allowing life insurance companies to file consolidated returns with other, non-life companies was that life insurance companies were not taxed on the same tax base as non-life companies. This argument is unfounded today. Prior to 1958, life insurance companies were taxed under special formulas that did not take their underwriting income or loss into account. Legislation enacted in 1959 took a major step toward taxing life insurance companies on both their investment and underwriting income. In fact, at the time the present law rules were under consideration in 1976, the Treasury Department took the position that full consolidation was consistent with sound tax policy.

In 1984 and 1986, Congress reviewed the taxation of life insurance companies and made a number of substantial changes that have resulted in these companies being subject to tax on their total income at the regular corporate

tax rates. Today, life insurance companies are as fully taxed on their income as are other corporations. There is no reason to treat them differently today.

THE PROBLEM

The current restrictions placed affiliated groups of corporations which include life insurance companies at an economic disadvantage compared with other corporate groups and also create substantial administrative complexities for taxpayers and the Internal Revenue Service. The five-year limitations, in particular, create irrational disparities between groups containing life insurance companies and other consolidated groups. Let me provide three examples:

1. When a consolidated group acquires a target consolidated group with a life insurance company member, the target group is deconsolidated. This means that, unlike other groups, intercompany gains in the target group would be triggered into income while losses would continue to be deferred.

2. For the five year period following a consolidated group's acquisition of a life insurance company, gains on any intercompany transaction cannot be deferred. Gains of other groups, which are allowed to file a consolidated return, are allowed to be deferred.

3. Section 355 spin off transactions raise questions concerning the five year ineligibility period for the spun-off company even if the group had existed and been filing a consolidated return for many years.

The ability to file consolidated returns is particularly important for affiliated groups containing life insurance companies. Many corporations in other industries can, in effect, consolidate the returns of affiliates by establishing divisions within one corporation, rather than operating as separate corporations. Unfortunately, state law and other, non-tax, business considerations generally require a life insurance company to conduct its non-life business through subsidiaries. The inability to file consolidated returns thus operates as an economic barrier inhibiting the expansion of life insurance companies into related areas.

SOLUTION

There are no sound reasons to deny affiliated groups of corporations including life insurance companies the same unrestricted ability to file consolidated returns that is available to other financial intermediaries (and corporations in general). Allowing the members of an affiliated group of corporations to file a consolidated return prevents the business enterprise's structure, i.e., multiple legal entities, from obscuring the fact that the true gain (or loss) of the business enterprise is the aggregate of the gain (or loss) of each of the members of the affiliated group. The limitations contained in present law are so clearly without policy justification that they should be repealed.

The legislation we are introducing today will repeal the two five-year limitations for taxable years beginning after this year. For revenue reasons, the legislation will phase out the 35% limitation over seven years. This bill should be a part of any simplification or taxpayer relief legislation that may be enacted next year, and I hope my colleagues will join me in this worthwhile effort.

HONORING MEGHAN ANN ELLWANGER, WINNER OF THE NATIONAL BUSINESS PLAN COMPETITION

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 10, 1998

Mr. KIND. Mr. Speaker, I rise today to commend a young lady from my congressional district who has made the State of Wisconsin proud. Meghan Ann Ellwanger, of Somerset, Wisconsin, has proven herself to be an astute entrepreneur at the age of 15. Her business plan for ''Berry Patch Nannies'' won the 1997–98 Business Plan Competition sponsored by ''An Income of Her own'' a nonprofit organization dedicated to improving the economic literacy of teen girls.

Berry Patch Nannies will be a business devoted to the raising of goats and the sale of goat products which include milk, cheese, and soap lotion. It will also be an ''environmentally aware business with products that are drug, disease and pest free.'' Miss Ellwanger gained some of the experience she will need to implement her plan for Berry Patch Nannies while she was operating Meghan's Poultry Palace, a family operated poultry business. Miss Ellwanger plans to cover her startup costs by applying for a 4–H business loan. She intends to invest her profits in a college education.

I wish her success and congratulate her on this impressive accomplishment.

LITTLE ROCK NINE MEDALS AND COINS ACT

SPEECH OF

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 9, 1998

Mr. DAVIS of Illinois. Mr. Speaker, I rise in support of the bill H.R. 2560 to present Gold Medals to Ernest Green, Elizabeth Eckford, Jefferson Thomas, Dr. Terrence Roberts, Carlotta Walls Lanier, Minniejean Brown Trickey, Gloria Ray Karlmark, Thelma Mothershed-Wair, and Melba Pattillo Beals, collectively known as the Little Rock Nine.

I was a 16-year-old college freshman at Arkansas A.M. of N. College in Pine Bluff, Arkansas; and on a daily basis we waited with baited breath to hear or see what had taken place on that day at Central High School in Little Rock. The nine young people gave all of us a sense of pride and fulfillment as we observed their strength, courage, and determination. They were all outstanding; however, I was particularly struck by the fact that my mother, a very soft-hearted and genteel woman, declared Minniejean Brown as her hero.

These were indeed heady times for all of us in Arkansas and especially so, for those of us who were Black. Daisy Bates, president of the Little Rock NAACP became a goddess for those of us who were liberation hungry and searching for equality, equal justice, and equal opportunities. Attorney Wiley Branton, Dr. Cleon Flowers, Attorney Flowers, Dentist Mazique, President Lawarence A. Davis, Dean J.B. Johnson, Earl Evans, and others became in my mind great civic and community leaders. I am indeed pleased to see this recognition provided to the Little Rock Nine as evidence of the significant role which they, their parents and leaders like Daisy Bates and Wiley Branton played in the school desegregation and Civil Rights Movement in this country. They were Golden Children and deserve Gold Medals.

I thank you, Mr. Speaker, and yield back the balance of my time.

TRIBUTE TO AMERICAN YOUTH SOCCER ORGANIZATION

HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 10, 1998

Mr. SHERMAN. Mr. Speaker, I rise before you today to pay tribute to the American Youth Soccer Organization (AYSO) and its chairman of the board, Burton K. Haimes. AYSO was founded in Torrance, CA in 1964, ''everyone plays'' and ''balanced team'' philosophies have generated a youth soccer program which has literally swept the country.

Today, AYSO has 900 regional programs and 46,000 teams. The division into geographic regions has resulted in a grassroots program with local leadership. AYSO soccer is a family affair with more than 600,000 players ranging from 4½ through 18 years old. An average of one parent per family actively participates in AYSO acting as coach, referee, team parent, administrator or sponsors. AYSO is currently supported by more than 250,000 volunteers. Through AYSO, youngsters of diverse backgrounds, ethnicity, and athletic abilities are given the opportunity to participate in soccer. AYSO and its sponsors are proud to provide quality programs for its youngsters and volunteers.

Today's AYSO program is different in many respects from its origin. The emphasis is now placed on the training and development of adult volunteers. That way they can be sure the quality as well as the quantity of their programs increases. AYSO, with the help of noted experts, is working to improve the education of volunteers in the areas of child development, human behavior, sports psychology, ethics and sportsmanship.

AYSO programs work because their volunteers work. They work because they believe in the programs. Their phenomenal growth reflects AYSO's commitment to a healthy competitive atmosphere for youth soccer players and a concern for the development of caring and responsible individuals.

Recognizing the special needs within our communities, AYSO has carefully created unique programs including: TEAM-UP to provide assistance where there are ongoing economic challenges, be it rural area, small town, Native American reservation or the inner city; VIP (Very Important Player) program created to provide a quality soccer experience for children whose physical or mental challenges make it difficult to successfully participate on regular AYSO teams; CAP (College Athlete Program) designed to prepare soccer players to attend college and play soccer while in college; Girls Initiative to promote girls' participation in soccer along with fostering the development of women as coaches, referees and administrators; and Safe Haven designed to address the growing need for child and volunteer

protection through an educational program that includes accreditation, volunteer certification, and protection policies.

Mr. Speaker, distinguished colleagues, please join me in honoring the American Youth Soccer Organization (AYSO); the role model for sportsmanship and citizenship in our country today.

SENSE OF THE HOUSE REGARDING IMPORTANCE OF MAMMOGRAPHY AND BIOPSIES IN FIGHTING BREAST CANCER

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 8, 1998

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today to speak about an issue of vital importance to the women of this Nation—breast cancer prevention. As a woman and a mother, I feel that there are few issues as important to women's health as the breast cancer epidemic facing our Nation.

The resolution in front of us today expresses the sense of the House of Representatives that mammograms and biopsies are crucial tools in the fight against breast cancer. As you may know, breast cancer is the most commonly diagnosed cancer in American women today.

An estimated 2.6 million women in the United States are living with breast cancer. Currently, there are 1.8 million women in this country who have been diagnosed with breast cancer and 1 million more who do not yet know that they have the disease. It was estimated that in 1996, 184,300 new cases of breast cancer would be diagnosed and 44,300 women would die from the disease.

Breast cancer costs this country more than $6 billion each year in medical expenses and lost productivity. These statistics are powerful indeed, but they cannot possibly capture the heartbreak of this disease which impacts not only the women who are diagnosed, but their husbands, children and families.

The most effective technique for early detection of breast cancer is mammography. When detected early, the probability that a woman can survive breast cancer is 90%. Safe and accurate testing offered through mammography is essential to save women's lives.

I am sure that all Members support this resolution today. I support it on behalf of all of our daughters, sisters, mothers, and grandmothers. We must continue to do whatever we can in order to detect, treat and prevent this devastating disease.

HONORING CHIEF PHILLIP MARTIN

HON. PHIL ENGLISH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 10, 1998

Mr. ENGLISH of Pennsylvania. Mr. Speaker, it is with great pride that I rise today to honor Chief Phillip Martin who has made the Mississippi Band of Choctaw Indians an American success story.

The changes Chief Martin has implemented show that he is a true friend of the Choctaw Nation and all Native Americans. His vision of self-sufficiency and commitment to entrepreneurship has helped his people succeed. Chief Martin has reversed the injustices faced by his people by establishing an independent and productive reservation-based economy. This is a testament to the understanding and foresight of tribal governments.

It is my sincere hope that others will follow the course Chief Martin has set in establishing private enterprise for the Choctaws. His determination and vision has been rewarded by his many accomplishments. I am certain these positive investments will continue to help his fellow citizens for many years to come.

LYNN D. ALLEN, A DEDICATED PUBLIC SERVANT

HON. JOE KNOLLENBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 10, 1998

Mr. KNOLLENBERG. Mr. Speaker, I rise today to thank Lynn Allen for his dedication to public service.

Born and raised in Pontiac, Michigan, Lynn served in WWII as a combat pilot. After completing his service, Lynn entered college at the University of Detroit and graduated from Northern Illinois University's College of Optometry, earning B.S. and doctors degrees.

After 18 years of practice as an optometrist, Lynn was elected in 1968 as the Oakland County Clerk and Register of Deeds, a position he holds today. Lynn has served the people of Oakland County honorably and with distinction. An innovative leader, Lynn helped design and implement the first on-line computer court system in the world and established an on-line system for campaign finance reporting.

Lynn has served as the president of the Michigan Clerks' Association and has been selected as the County Clerk of the Year in the State of Michigan. Currently, Lynn serves as chairman of the Court Committee for the Michigan Clerks and chairman of the Court and Charter Committee for the International Association of Clerks, Recorders, Election Officials and Treasurers.

In addition to his official duties, Lynn has made many other contributions to his community. He has been active in the Jaycees and has been named the Pontiac Jaycees Man of the Year. He has also been an active member in the West Pontiac Kiwanis Club, the American Legion, the Oakland County Sportsman's Club, and the First Presbyterian Church.

Lynn is retiring as the Oakland County Clerk and Register of Deeds on October 16. His leadership will be missed. He has made Oakland County and the State of Michigan a better place to live.

I wish Lynn and his wife, Mary Ann, the best of luck in their future endeavors.

SONNY BONO COPYRIGHT TERM EXTENSION ACT

SPEECH OF

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 7, 1998

Mr. GORDON. Mr. Chairman, I rise in opposition to Title II, the Music Licensing Exemptions title in S. 505, the Copyright Term Extension Act. Although some characterize this provision as a ''compromise,'' this provision is entirely unfair to American songwriters.

Mr. SENSENBRENNER's ''compromise'' on Musical Licensing would exempt certain sized bars and restaurants from paying royalties for radio and television broadcasts in their establishments.

Restaurant owners must pay produce vendors for the fruit and vegetables they serve, alcohol distributors for the beer and wine they sell and furniture suppliers for the tables at which their customers sit. It is absurd to suggest that you should not be compensated for the use of someone's music. Intellectual property must enjoy the same status as real or personal property; a person cannot use or improperly interfere with another's property without facing consequences.

In my home state of Tennessee, music is one of our area's largest economic assets, and it is vital that the United States maintain high protection and enforcement standards in the U.S. and throughout the world.

Mr. Chairman, I have letters from constituent songwriters and Opry performers that don't understand why writers of books, movies, television programs are all compensated each time their work is enjoyed, and songwriters should not be allowed the same protection and compensation.

I believe it is hypocritical of the leadership of this body to pass this lop-sided provision, when tomorrow, we bring to the floor the conference report on H.R. 2281, the WIPO International Copyright Treaty Implementation Act. H.R. 2281 strengthens U.S. copyright laws regarding the transmission of copyrighted materials. Tonight, this music licensing exemption weakens copyright protection for songwriters and their creative works.

Commerce Secretary William Daley wrote in a letter to Speaker GINGRICH stating strong opposition to the Sensenbrenner music licensing exemption. Specifically, Secretary Daley points out that our trading partners will claim that an overly broad exemption violates our obligations under the Berne Convention for the Protection of Literary Works and the Agreement on the Trade Related Aspects of Intellectual Property Rights (TRIPs Agreement).

We should be concerned that passage of Title II would sacrifice U.S. interests of U.S. music copyright owners abroad in order to satisfy the demands for uncompensated use of music domestically. The American music industry is the most successful in the world, and royalties from foreign performances are an important source of income for U.S. artists and composers, who are small businesses too. If we expand the exemptions as written, other countries could use this as an excuse to adopt exemptions in their own copyright laws, leading to economic losses to U.S. music copyright owners in the hundreds of millions.

Songwriters are small business-persons that are engaged in an extremely difficult and competitive occupation. It is often only after years

of struggle that a writer can even begin to make a living.

As I said before, music is intellectual property—and the owners should be paid for the use of their product—particularly when other businesses are making money by using their work.

Finally, I agree with Rep. Mary Bono in hopes that the House will revisit this issue and its detrimental effect on American songwriters and our international trade agreements in the next session. Enacting Title II of this bill is a grave mistake.

MEDICARE HOME HEALTH AND VETERANS HEALTH CARE IMPROVEMENTS ACT OF 1998

SPEECH OF

HON. LANE EVANS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 9, 1998

Mr. EVANS. Mr. Speaker, I rise today in support of the bill, H.R. 4567, although I do so with some reservations. The Committee on Veterans' Affairs has a long tradition of bipartisanship in developing constructive policy to meet the needs of veterans. Under the leadership of Chairman BOB STUMP, our Committee considered, perfected and approved, H.R. 1362, the Veterans Medicare Reimbursement Act of 1997. I continue to believe H.R. 1362 better addresses the needs of veterans and VA while simultaneously providing Medicare savings. These Medicare savings would result from authorizing VA to charge the Health Care Financing Administration for certain care provided by VA to certain Medicare-eligible veterans using a discounted Medicare fee schedule or capitated payment rate. H.R. 1362 was approved by the Veterans' Affairs Committee with the support of the Administration and all of the major veterans' services organizations. Working with the Senate Committee on Veterans' Affairs, the Senate Finance Committee included a provision similar to H.R. 1362 in its version of the Balanced Budget Act of 1997. Unfortunately, this provision was not included in the conference agreement. I hope that future negotiations with the Senate will yield a measure more like H.R. 1362—a more thoughtful and cautious approach than the measure we are considering today.

My support for the measure before us today is due to VA's desperate need for funding from non-appropriated sources on which the Administration is depending. Since it received authority to retain medical care cost recovery funds, VA collections have actually declined. VA intended to use both Medicare reimbursement and medical care cost recovery funds to provide 10-percent of its funding from non-appropriated sources. VA's inability to collect the levels of funds it anticipated from these sources has resulted in a serious unanticipated budget shortfall.

Now VA faces a new challenge—the Under Secretary for Health has committed to ''take all comers'' into its health care system and provide them with specified health care benefits. Since VA has already committed to enrolling both veterans who bring payment for services to the door with them and veterans without such funding, VA will have no additional incentive to treat those in higher-income groups. I am uncertain what the consequences of Dr. Kizer's decision to enroll all veterans will be for VA, but I know that additional resources will better ensure its ability to honor this commitment without limiting access to care to other veterans with a higher priority to care.

I commend the gentleman from California, Mr. Thomas, for his work on behalf of VA-Medicare Subvention. However, I believe we need to re-assess VA's health care funding sources and end the funding ''shell game'' which has subjected VA to an uncertain revenue stream for the last three years. It hasn't worked. If VA is to be a high-quality health care system, Congress must be committed to funding the VA with adequate appropriated resources for the next fiscal year and years to come.

MEDICARE HOME HEALTH AND VETERANS HEALTH CARE IMPROVEMENTS ACT OF 1998

SPEECH OF

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Friday, October 9, 1998

Mrs. MINK of Hawaii. Mr. Speaker, although I am an original cosponsor of the original version of H.R. 4567, the Medicare Home Health Care Interim Payment System Refinement Act, I am rising in reluctant support for the bill.

The Balanced Budget Act of 1997 implemented a poorly designed formula for Medicare payments to home health agencies which devastated home health agencies around the country. Reimbursements were slashed across the board and more than a thousand home health agencies either closed or began refusing to accept Medicare beneficiaries. The number of Medicare-Certified Home Health Agencies in my home state of Hawaii went from 28 in October 1997, to 22 in August 1998. A 22 percent decline in ten months.

For every agency that is closed, there are several hundred patients who are abandoned. The situation compels immediate action and I am very pleased the House is addressing this problem. Nonetheless I believe more can be done.

I am distressed that this bill is not retroactive. Many agencies have continued to operate in the red for the past year clinging to the hope that Congress would enact retroactive legislation to fix the payment problem. Agencies will not get assistance for losses they took this year and because of this, many will close even with the additional payments provided by this bill.

Furthermore this bill does not address the additional problems that would be created by the impending home health payment reduction scheduled for September 1999. Unless we address this problem we will be in the same situation next September, as we are in now.

Since H.R. 4567's introduction, numerous unrelated provisions have been added to the bill. One of my main objections to this bill is the inclusion of language expanding the Roth IRA limit from $100,000 to $145,000. This is a tax shelter for the wealthy and will cost U.S. taxpayers almost $5 billion over 10 years while providing little, if any, benefit to the majority of the population.

I am pleased that the bill will enable Medicare to reimburse the VA for services provided to Medicare eligible Veterans by VA facilities. This change is fiscally responsible and is predicted to save the Federal Government money in the long run. However, I am concerned that services previously paid for by the VA would now be extracting scarce resources from the Medicare Trust Fund.

In conclusion, although the meager home health payment increase is not at the level I would have liked, this is a step in the right direction and I am relieved that struggling home health agencies will receive some assistance.

TURKMENISTAN: AN OPPORTUNITY TO ENHANCE POLITICAL STABILITY IN CENTRAL ASIA

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 10, 1998

Mr. TOWNS. Mr. Speaker, I rise today to introduce a sense of the Congress resolution supporting United States assistance to the Republic of Turkmenistan to build pipeline routes or take other measures necessary to resume the export of natural gas.

Turkmenistan, a newly independent Republic, bordering the oil and gas rich Caspian Sea, plays a vital role in the stability of Central Asia, a region that is quickly becoming one of the most strategically important areas in the world.

As we enter the 21st century, it should be the goal of the United States to support the exploration and use of cleaner sources of energy, without hampering economic growth. Turkmenistan, a country with one of the largest reserves of natural gas in the world, plays a key role in reaching this goal.

At this point, political and economic factors have hindered Turkmenistan from exporting its natural gas to the world. The United States must act to assist Turkmenistan in resuming the sale of its natural gas. The resumption of Turkmen gas sales is one of the main hurdles that must be overcome before economic and political stability comes to this region.

Without stability, Central Asia could cease to be a viable source of clean energy for the world, and also deteriorate into a ''hot spot'' where different cultures and political forces could combine to create a threat to our national security.

Again, Mr. Speaker, I ask my fellow members to support this resolution, and in so doing give Turkmenistan encouragement to promote stability and democratization in the region.

TRIBUTE TO DR. IVOR L. GEFT

HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 10, 1998

Mr. SHERMAN. Mr. Speaker, I rise today to pay tribute to Dr. Ivor L. Geft, one of the most dynamic and dedicated physicians in Los Angeles. Dr. Geft is the recipient of The Jewish Healthcare Foundation—Avraham Moshe Bikur Cholim's Ahavas Chesed Award. He is being recognized for his excellence in caring

for the health and welfare of all citizens of Los Angeles, regardless of age, sex, creed, or color.

The Talmud states, ''He who does Charity and Justice is as if he had filled the whole world with kindness.'' In the spirit of these words, Dr. Geft continuously performs acts of charity and justice that brings an incredible sense of loving kindness and hope to the greater community of Los Angeles. His dedication to increasing the well being of the ailing is unique. Known for visiting patients young and old alike, he can be spotted in a variety of hospitals and homes throughout Los Angeles around the clock. Amidst the busy schedule of a cardiologist, Dr. Geft does not hesitate to make time for any of his patients. His commitment to helping others has significantly improved the quality of life in our community.

Dr. Geft's compassion is coupled with his reputation as one of the most well respected cardiologists in the city of Los Angeles. Dr. Geft serves as a physician specializing in cardiology, primarily at Cedars-Sinai Medical Center. He also travels throughout the city and has privileges to UCLAHospital, Midway Hospital, and Century City Hospital. He is an associate clinical professor at the UCLA School of Medicine. However, his well earned reputation began prior to his practice in Los Angeles. Dr. Geft was senior cardiologist at Shaare Zedek Hospital and worked as a fellow in cardiology at the Hadassah Medical Center in Jerusalem, Israel. He attended school at the University of Cape Town in South Africa.

Dr. Geft's list of accomplishments is tireless. He is a member of the world renowned Royal College of Physicians in the United Kingdom. He is also a member of the Israel Board of Cardiologists. He belongs to the California Medical Association, is a fellow at the American College of Cardiology, and is a member of the Israel Medicine Society. His leadership abilities have been recognized by many, including the American Heart Association, who awarded him the Young Investigators Award. Today, his talents are being recognized once again.

Mr. Speaker, please join me in honoring Dr. Geft for his love, dedication, and passionate service to his patients and the community of Los Angeles.

HONORING HENRY B. GONZALEZ FOR 4½ DECADES OF SERVICE TO THE HOUSE AND THE PEOPLE OF THE 20TH CONGRESSIONAL DISTRICT OF TEXAS

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 9, 1998

Ms. JACKSON-LEE of Texas. Mr. Speaker, it is a privilege to stand here and extol the achievements of Congressman GONZALEZ. His legacy is as extensive as it is grand, and I find myself awed by his accomplishments.

Congressman GONZALEZ has served in Congress for 38 years. From the moment that he entered the Congressional service on November 4, 1961, Congressman GONZALEZ has represented his constituents, his State, and his Nation with the utmost loyalty and dignity.

As the Representative of the San Antonio area, Congressman GONZALEZ has served on the House Committee on Banking, Finance, and Urban Affairs and on its housing subcommittees. As the Chairman of the Banking Committee from 1989 to 1994, the Congressman conducted over 500 hearings that covered topics ranging from the Bush Administration's pre-war policy toward Iraq to the Bank of Commerce and Credit International scandal.

While acting as Chairman of the Banking Committee, Congressman GONZALEZ also guided 71 bills through the legislative process. Among these important measures were bills that provided important services such as making more credit available to small businesses and strengthening laws pertaining to financial crimes. As a member and a Chair, Congressman GONZALEZ assisted in the restoration of the savings and loans industry and helped to overhaul the deposit insurance system.

Beyond his work with the Banking Committee, Congressman GONZALEZ has actively promoted legislation that dealt with areas such as civil rights, education, veterans, and equal opportunity.

As the Chairman of the Subcommittee on International Development Institutions and Finance, the Congressman sponsored the ''Gonzalez Amendment'' that protects U.S. citizens' overseas property from expropriation without just compensation from a foreign government.

As the Chairman of the ad hoc Subcommittee on the Robinson-Patman Act, Anti-trust Legislation, and Related Matters, Congressman GONZALEZ preserved the interests of small businesses. Moreover, the report he issued as the Chair is now revered by anti-trust lawyers.

Most significantly, the Congressman helped his constituents by authoring a series of public laws over a six year period that paved the way to San Antonio's hosting of the 1968 World's Fair. That event generated business for the Congressman's district and resulted in a convention center, an exhibit hall, additional hotels, a new theater and restaurant district, and additional shops.

We will miss Congressman GONZALEZ's dedication and service as a Member of Congress. I know that my home State of Texas will miss the service of one of our great Americans on its behalf in the U.S. Congress. On behalf of Texas, I would like to thank Congressman GONZALEZ for his accomplishments. I wish him the best as he embarks on his well-earned retirement.

HONORING ROBERT C. JAZWINSKI, SHENANGO VALLEY CHAMBER OF COMMERCE 1998 PERSON OF THE YEAR AWARD

HON. PHIL ENGLISH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 10, 1998

Mr. ENGLISH of Pennsylvania. Mr. Speaker, it is with great pride that I rise today to honor Robert C. Jazwinski who was awarded the Shenango Valley Chamber of Commerce 1998 Person of the Year Award.

This award is presented annually by the Shenango Valley Chamber of Commerce in order to honor a person who exemplifies leadership, commitment, and devotion to the Shenango Valley area. Robert Jazwinski's efforts in supporting and promoting the Shenango Valley have been exemplary.

The Shenango Valley is grateful that Mr. Jazwinski has decided to make it his home along with his wife Sally and three daughters Alison, Sarah and Jenny. He is the president and chief executive officer of Jazwinski Financial Services. Robert has established himself as a Certified Public Accountant, Certified Financial Planner and Specialist and has been recognized by the Personal Financial Planning Division of the American Institute of Certified Public Accountants with high distinction.

Mr. Jazwinski has been committed to the Shenango Valley because he cares about bringing its citizens together. He has served on the board of directions of the chamber of commerce and as a commissioner for the city of Hermitage. Currently, he is an F.H. Buhl Trustee, executive vice president of the Shenango Valley Foundation, and a member of the board of directors for the executive committee and treasurer of the Penn Northwest Development Corporation.

It is an honor to recognize Mr. Jazwinski and his achievements. He is a man who has made an important difference in the Shenango Valley.

NATIVE AMERICAN PROGRAMS ACT AMENDMENTS OF 1997

SPEECH OF

HON. ENI F.H. FALEOMAVAEGA

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 9, 1998

Mr. FALEOMAVAEGA. Mr. Speaker, I rise today in strong support for S. 459, a measure to reauthorize the Native American Programs Act of 1974. The purpose of this bill is to amend the Native American Programs Act to extend the authorization to fiscal year 2000 of appropriations for programs administered by the Administration for Native Americans (ANA) with the Department of Health and Human Services. This legislation would also reauthorize, for a period of 1 year, the Native Hawaiian revolving loan fund.

Mr. Speaker, this legislation is critical to continue the availability of a modest amount of grant funds used by native communities nationwide to foster economic growth, develop tools for good governance and promote social welfare.

In 1974, the Native American Programs Act was enacted by Congress to assist tribes and other Native American communities with developing social, economic, and governance strategies in order to become economically self-sufficient. Since its enactment, hundreds of tribes, reservation communities, and other native organizations have benefited from the programs funded under this Act, programs which foster the development of stable, diversified local economies by developing the physical, commercial, industrial and/or agricultural components necessary for a functioning economic base.

ANA has provided grants for governance, social, and economic development projects; grants to assist with tribal recognition efforts; grants for projects to assist tribes in their capacity to meet environmental requirements; grants to support projects which promote the survival and preservation of Native American languages and funds to support the Native Hawaiian revolving loan fund. These projects

have served to improve the quality of living for thousands of Native American families and communities.

The ANA funding policy is to assist Indian Tribes and Native American organizations to plan and implement their own long-term strategies for social and economic development. The aim is to increase local productivity and reduce dependence on government social services. This legislation will extend until fiscal year 2000 the authorization for these modestly funded yet very successful programs to strengthen and rebuild tribal communities around the United States.

I wish to thank my good friends, Senator CAMPBELL, Senator INOUYE and Senator MURKOWSKI for their efforts to extend the authorization for these valuable resources to improve opportunities for self-sufficiency for Native American, Native Hawaiian, Pacific Islander and other native peoples.

Mr. Speaker, the programs authorized in this measure are critical to fostering social and economic self-sufficiency—a goal shared by this Congress as we move toward greater fiscal responsibility in all American communities. I urge my colleagues to act favorably and expeditiously on this measure.

COMMEMORATING THE 160TH ANNIVERSARY OF MONROE TOWNSHIP, NEW JERSEY

HON. MICHAEL PAPPAS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 10, 1998

Mr. PAPPAS. Mr. Speaker, I rise today to congratulate the people of Monroe Township, New Jersey as they celebrate their 160th anniversary.

Monroe, named after our fifth president, James Monroe, became a township on February 23, 1838. The first people to inhabit the land were the Leni Lenape Indians, followed by those seeking religious freedom from England and Scotland who arrived in the mid-seventeenth century. Both groups were attracted to the area's fertile soil, abundant water and miles of woodland. When Monroe became a township 160 years ago, it's population was only 2,435.

Over the past 160 years, Monroe has grown from a rural, farming area into an active residential and commercial community. But residents and visitors to this beautiful town can still enjoy its working horse and produce farms and plush woodlands. Monroe Township is the home of five large planned retirement communities where almost half of their population of roughly 27,000 people reside. It boasts a strong educational system, many parks and recreation facilities and a close-knit community atmosphere.

I wish to commend Monroe Township and all of the people of Monroe on this historic anniversary. It is an honor to have this great township within the borders of the twelfth congressional district.

SENSE OF THE HOUSE REGARDING IMPORTANCE OF MAMMOGRAPHY AND BIOPSIES IN FIGHTING BREAST CANCER

SPEECH OF

HON. TOM BLILEY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 8, 1998

Mr. BLILEY. Mr. Speaker, the attached letters are submitted for inclusion in the RECORD.

OCTOBER 6, 1998.

Hon. TOM BLILEY, *Chairman,*
House Committee on Commerce, Washington, DC.

DEAR CHAIRMAN BLILEY: On behalf of the National Breast Cancer Coalition (NBCC), I am writing to thank you for your support and leadership in reauthorizng the Mammography Quality Standards Act (MQSA). By adopting national standards for the provision of mammography, the Congress has helped ensure that women get the highest quality screening.

We would also like to commend your leadership for working so hard to include a direct notification provision in this year's reauthorization. This is a very important issue for women. As you know, NBCC believes along with the Agency for Health Care and Policy Research (AHCPR) that the best public health policy is for women to receive direct written notification of the results of their mammogram. Direct notification will permit women to make informed medical decisions at a critical time.

Our experience as activists and consumers is that without a requirement that facilities provide direct written notification to patients—it won't always happen. Without direct reporting, some women, waiting to hear from their physician may make the tragic assumption that ''no news is good news.'' It is for that reason that your leadership on including this requirement is so significant.

Thank you again for your commitment to this issue. We look forward to continuing to work with you to eradicate breast cancer.

Sincerely,

FRANCES M. VISCO,
President.

AUGUST 3, 1998.

Hon. TOM BLILEY,
Chairman, Committee on Commerce,
Washington, DC.

DEAR REPRESENTATIVE BLILEY: On behalf of the National Breast Cancer Coalition (NBCC), I want to thank you for your leadership in the reauthorization of the Mammography Quality Standards Act (MQSA). This program, which establishes minimum national quality standards for mammography facilities and personnel as well as a rigorous annual inspection program to ensure those standards are being met, is an important component in the arsenal for fighting breast cancer.

The NBCC is extremely pleased that the Committee has included language that would require facilities to provide direct written notification of mammographic results to all patients. We join the Agency for Health Care Policy Research (AHCPR) and other experts and consumers in believing that direct notification is the best public policy.

We also understand that the bill includes language that would permit the Food and Drug Administration (FDA) to conduct a limited demonstration project to determine the feasibility of inspecting high-performing mammography facilities on a less than annual basis. While we have concerns about backing away from annual inspections, we have been working with the Committee to ensure that any demonstration project is done on a restricted basis with regard to the facilities that are selected for inclusion in the program. Moreover, the demonstration, not to begin before April 1, 2001, should be constructed with the utmost caution to ensure facilities continue to adhere to tough national mammography standards.

We look forward to working with the Committee to continue to find ways to improve the MQSA program. Thank you again for your leadership and support.

Sincerely,

FRAN VISCO,
President.

STATEMENT OF CHRISTINE BRUNSWICK, VICE PRESIDENT, NATIONAL BREAST CANCER COALITION, SEPTEMBER 23, 1998

Thank you very much for the opportunity to speak today. On behalf of the National Breast Cancer Coalition, I want to begin by thanking Chairman Bliley, Chairman Bilirakis, and the Members of the House Commerce Committee for their leadership in reauthorizing H.R. 4382, the Mammography Quality Standards Act. MQSA establishes minimum national quality standards for mammography facilities and personnel and also includes a rigorous annual inspection program to ensure those standards are met. These are essential components in the fight against breast cancer.

H.R. 4382 improves mammography screening by providing all patients—for the first time ever—with direct written notification of their mammography test results. NBCC believes that women are entitled to know the results of their own mammograms and that they should not have to rely solely on their physicians to notify them of their results.

NBCC believes that written notification is the right public policy. It permits women to make informed medical decisions at a critical time. Public health organizations and consumer advocates have stressed consistently that women are entitled to know the results of their exams and that it is the facilities' responsibility to provide direct written notification of mammography results to all patients. For numerous reasons, many health care providers do not always communicate the results of mammograms to patients. And some women, waiting to hear from their physician, may make the tragic assumption that ''no news is good news.''

As the Mammography Quality Standards Act was originally adopted into law, there was already a requirement for self-referred women to be directly notified about the results of their mammography. Without a requirement that all patients are notified directly, the concern is that women may not hear about their mammography results until its too late.

NBCC is not alone in supporting direct written notification. Based on extensive review of the literature, expert testimony, and contributions of an independent multidisciplinary panel of private-sector clinicians, other experts and consumers, the Agency for Health Care Policy Research (AHCRP) strongly recommended direct written notification in the Clinical Practice Guideline:

''Any written communication must have language that is carefully constructed to impart results without causing undue anxiety, to promote a relationship between the woman and health care provider, and to encourage the woman to take the next step.''

The Food and Drug Administration (FDA) has stated that it ''continues to believe that written notification of mammographic results is the most reliable way to guarantee

that each patient is notified of results and that any necessary follow up will occur,'' and that it ''agrees with consumer groups that written notification of mammographic results represents the 'best practices' in ensuring that each and every woman is clearly and effectively notified of the results of her mammogram . . .''

I am here today on behalf of the National Breast Cancer Coalition to ask the Senate to adopt the re-authorized version of MQSA that has already been passed by the House. While the Senate re-authorized the MQSA (of 1992) last year, that legislation did not include a direct notification requirement. H.R. 4382 would require that written notification be provided to every patient in terms easily understood by the general public.

Our experience as activists and consumers is that without a requirement that facilities provide direct written notification to patients—it won't happen.

On behalf of NBCC, I am pleased to join Chairman Bliley, Chairman Bilirakis, and sponsors of H.R. 4382 in asking that the Senate pass the House passed MQSA reauthorization into law this year.

September 21, 1998.

Hon. THOMAS J. BLILEY, Jr.,
Chairman, Committee on Commerce,
U.S. House of Representatives.
Hon. MICHAEL BILIRAKUS,
Chairman, Subcommittee on Health and the Environment.

DEAR GENTLEMEN: The National Alliance of Breast Cancer Organizations (NABCO) is extremely grateful for your continued support of the National Mammography Quality Standards Act and efforts to assure its reauthorization as soon as possible. Additionally, we were pleased by the outcome of the Committee's August 5th deliberations and report including certain amendments, and have encouraged Senators Jeffords, Kennedy, and Mikulski to promote the adoption of the House language into the Senate bill. In our opinion, the House Commerce Committee's amendments offer strong enhancements to the original language of the Act and will benefit women throughout the country by further improving the quality of their mammography screening.

First, an increasing number of women are now receiving the results of their mammograms directly from their mammography provider, but it is not mandatory for the providers to do so in most cases. In the unanimous opinion of the Quality Determinants of Mammography Guideline Panel convened by the Agency for Health Care Policy and Research ''A report should be sent to the health care provider and results passed on to the woman.'' NABCO strongly supports every woman's right to receive the results of her screening mammogram directly, in a timely manner, and in language that is meaningful to her.

Second, although the implementation of the Act is not yet fully realized, lessons learned from the on-site inspection process highlight the opportunity to improve on the efficiencies of resources dedicated to assuring the high standards of mammography quality the Congress intended. To that end, we support the concept of demonstration projects which will provide further analysis of the relationship between duration and frequency of those on-site inspections.

Finally, the provision strengthening the independent and objective role of reviewing mammographers lends further credence to the specific training they receive, which women want, deserve and expect from facilities certified by the Federal Government.

Many thanks for your support of the breast cancer cause. Please do not hesitate to contact us if we may be of assistance in any breast cancer issues that come before you.

Sincerely,

KIMBERLY CALDER,
MPS, Associate Executive Director.

SEPTEMBER 22, 1998.

Hon. TOM BLILEY,
Chairman, House Commerce Committee,
Rayburn House Office Building,
Washington, DC.

DEAR CHAIRMAN BLILEY: We want to thank you and the other cosponsors of the Mammography Quality Standards Act for legislation that offers millions of Americans a greater measure of hope as we confront the battle against breast cancer. The House acted wisely when it passed your bill.

It is our sincere hope the Senate will act quickly to pass the House version. While the Senate bill also takes steps to advance mammography standards, it does not include the direct notification provisions in the House version. Personal notification of test results in terms women can understand can help save lives and should be part of final legislation. We urge Congress to pass a final bill this session.

Thank you for your concern and efforts on this important issue of public health.

Sincerely,

SUSAN N. NATHANSON, PH.D.,
Executive Director,
Y–ME National Breast Cancer Organization.

STATEMENT BY JENNIE R. COOK, AMERICAN CANCER SOCIETY BOARD CHAIR, ON PENDING ACTION ON THE MAMMOGRAPHY QUALITY STANDARDS ACT

''Good afternoon. I'm Jennie Cook, Chairman of the National Board for the American Cancer Society. Let me first begin by saying that it is an honor to be here today with so many distinguished members of Congress. On behalf of the American Cancer Society, I want to thank the U.S. Congress for all efforts to promote the highest standards in quality mammography. I also want to thank Chairman Bliley and Representative Bilirakis and many other key members of the committee for making this event possible. Without their leadership, we wouldn't be here today.

''One of the first lines of defense in the fight against breast cancer has been to encourage screening, earlier diagnosis and prompt appropriate treatment. The American Cancer Society strongly believes that every woman in this country has a right to a mammogram of the highest standards of quality, and we are committed to seeing that all women have access to high quality mammography, as well as other medical interventions that have been convincingly shown to reduce morbidity and mortality from breast cancer.

''The five-year survival rate for a woman with localized breast cancer has risen to about 97 percent today, largely through the advent of early detection of the disease. The potential for early detection to be effective is an empty promise if the quality of mammography is low. Since early detection is so important, all women should feel confident that mammography facilities in their communities achieve high standards. Just last week, the U.S. House of Representatives helped make this goal achievable through the continuation of Mammography Quality Standards Act.

''The Mammography Quality Standards Act, or MQSA, represents an important milestone in the fight against breast cancer. Women can now continue to have confidence in the quality of their mammograms because mammography facilities are being certified in accordance with federal standards. The reauthorization process made it possible to enhance MQSA—to make it even better than it was the first time around. We are especially pleased that the U.S. House of Representatives included a provision to directly notify women of their mammogram results in easy-to-understand language—which is a top priority of the American Cancer Society.

''Consumer and public health advocates have consistently stressed that communicating mammography results directly to women is a vital component of medical care and a necessary quality standard. Women are entitled to timely, accurate and easily understood information about the results of their mammograms. Studies have shown that women believe their mammography results are normal if they are not contacted after their examination. If in fact the information about a suspicious mammogram has fallen through the cracks, appropriate follow-up care is often unnecessarily postponed. A delay in diagnosis due to poor communication can have adverse consequences for women and their doctors. For women, it can mean fewer treatment options and reduced chances at survival. For physicians, communication failures represent system failures and, consequently, failures to meet the needs of their patients. Thus, direct notification establishes that the interpreting physician, the referring physician and the woman all play a role in ensuring that appropriate follow-up takes place.

''Once again, on behalf of the American Cancer Society, I want to thank the U.S. Congress for taking up this important legislation, and I urge the U.S. Senate to pass HR 4382 in time for National Breast Cancer Awareness Month in October.''

FISH AND WILDLIFE REVENUE ENHANCEMENT ACT OF 1998

SPEECH OF

HON. DAVID E. SKAGGS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, October 9, 1998

Mr. SKAGGS. Mr. Speaker, I rise in support of this bill. It's essentially identical to one (H.R. 2291) I introduced last year to improve the ability of the Fish and Wildlife Service to carry out its responsibilities in Colorado and around the country. I'm glad my colleague Senator ALLARD chose to carry the bill in the Senate.

The Service is responsible for storage and disposal of a great variety of fish and wildlife and wildlife-related items that come into federal ownership under a variety of laws.

Hundreds of thousands of these items are collected at two facilities in Commerce City, Colorado. Most are in the National Wildlife Property Repository, while dead eagles and eagle parts (including feathers) go to the National Eagle Repository.

From the general repository, the Service makes many items available to other agencies and to museums, zoos, schools and colleges for scientific, education, and official purposes. From the Eagle Repository, eagles and eagles parts are made available to Native Americans for religious purposes.

These distributions meet a real need. In 1996, the eagle repository filled more than 1,300 requests, while between July, 1995 and February, 1997 more than 5,700 items were shipped from the general repository to organizations around the nation.

But many more items come into the general repository than are needed for such distribution. Under applicable law, the Service has to retain some of these items that aren't distributed. But others can be sold—and that's where this bill comes in.

Under current law, proceeds from sales of these unneeded items can be used for rewards and for some storage costs, but can't be used to defray the costs of the sales themselves. This bill would change this so that the Service could use the money from the sales to pay for the appraisals, auction expenses, and other costs of those sales, as well as for processing and shipping of items and for any steps needed to clear title to them.

It's estimated that in the first year after enactment, the bill will generate about a million dollars in additional funding for the Service. That will help make these programs more self-supporting, cutting red tape and making it easier for the Service to carry out these important activities.

The bill would not authorize sales of any items that can't be sold now, and it would not change any of the other rules regarding protection or management of fish or wildlife.

I think it's good sense as well as good government. I'm glad that the Senate has now passed this companion measure, and I urge the House to concur and clear the bill for signing into law.

Finally, let me remind my friend from California that this bill really originated on this side of the aisle. Equitable treatment of minority legislation on the suspension calendar is an objective I share. However, this bill is bipartism—and it should pass.

INTERNATIONAL CHILD LABOR RELIEF ACT OF 1998

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 8, 1998

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise to speak in support of the International Child Labor Relief Act today.

This bill authorizes the payment of $30 million for FY 1999, 2000 and 2001 for the U.S. Labor Department, to be used as the U.S. contribution to the International Labor Organization for the activities of the International Program on the Elimination of Child Labor.

According to UNICEF statistics, between 200,000 and 250,000 child laborers exist worldwide, 95% of whom are in underdeveloped countries. The total includes children working on family farms and other argibusinesses, in factories and perhaps most tragically in the sex industries.

Countries including India, Nepal, Pakistan, parts of Central American and Burma many young girls and young women are forced into prostitution. In Sudan and Mauritania, thousands of ethnic minority children have been kidnaped and sold into slavery. We are all aware of the problems worldwide of child labor and child abuse.

Last year, I supported Representative LANTOS' legislation, H.R. 1870, The Young American Worker's Bill of Rights, in order to set minimum standards for protecting children in the workplace. I urge my colleagues to support this legislation. We must do whatever we can to keep children safe.

TRIBUTE TO ALLSTATE HISPANIC MARKETING TEAM

HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 10, 1998

Mr. SHERMAN. Mr. Speaker, I rise before you today to pay tribute to the Allstate Hispanic Marketing Team and Advertising and Brand Development Group for their vision and commitment to better serve the needs of Latino community.

President Kennedy once said, ''For those to whom much is given, much is required.'' This recognition is to honor the individuals who have exemplified such leadership, volunteerism, and dedication. Committed to their industry leadership stance, these Allstate leaders have activity engaged in building relationships with organizations in meaningful ways to develop solutions that make a positive difference for individuals and communities.

Pioneering programs that range from the development of the ''En Buenas Manos'' (Good Hands) Award which commemorates individuals who volunteer their time and energy to improve the quality of life in the Latino community, to the sponsorship of national events such as the National Council of La Raza Conference (NCLR), and the Olmos Latino Book and Family Festival is what sets Allstate apart.

The list of cultural and civic Hispanic events in which Allstate and its vast network of agents participate as individuals and as a company is long, and includes festivals, parades, conferences, and other national and local events of special interest.

In addition to its commitment to providing its customers with the highest levels of service, Allstate, through its Hispanic Marketing Team and Advertising and Brand Development Group, has forged relationships and spearheaded programs that deal with issues such as housing and community development, education, employment and job training, immigration, health and safety, and leadership.

Mr. Speaker, distinguished colleagues, please join me in paying tribute to the Allstate Hispanic Marketing Team and the Advertising and Brand Developing Group. They have shown unwavering commitment to the community and deserve our recognition and praise. ''Con Allstate . . . Usted Está En Buenas Manos.''

THE DIGITAL DATA SERVICES ACT OF 1998

HON. W.J. (BILLY) TAUZIN

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 10, 1998

Mr. TAUZIN. Mr. Speaker, I am today introducing legislation to assure that a duly licensed low powered television station may utilize its authorized spectrum to offer to the public digital-based interactive broadcast services, and wireless Internet access, one or two way, portable or fixed, or connection to the Internet via the Interactive Video and Data Service (IVDS).

The Federal Communications Commission demonstrated sound judgment in granting limited ''experimental authority'' to such stations to develop alternative approaches for offering to the general public digital data services, including wireless Internet access at reasonable prices, and I want to make their authority permanent.

In its short period of existence, the Internet has grown to become an important medium for the conduct of commerce, the education of our children, and the maintenance of the informed and enlightened electorate necessary to a free society. Given its status in the United States as a substantial educational, promotional, commercial and distribution channel, the Internet is one of the engines which is driving the United States economy to record levels of productivity and employment.

One of the shortcomings of the technology is that it is wire bound. Through the efforts of the Federal Communications Commission and private entrepreneurs, however, that shortcoming is being ameliorated. There are currently a number of low-power television stations in the United States which have obtained experimental authority to provide Internet service because this service is an innovative use of the spectrum which will benefit the public.

It is the policy of the United States, as evidenced by the provisions of Sections 7, 10, 11, and 273 of the Communications Act of 1934, as amended, to remove barriers to entry and to foster innovation in the telecommunications marketplace. The legislation I am introducing today is designed to ensure that these low power stations offering Internet service may continue to provide the public with high speed wireless Internet access.

Recent history of telecommunications aptly illustrates the demand and utility of wireless access. Wireless telecommunications has been a substantial enhancement to the United States economy. Wireless Internet access promises even greater but similar economic benefits. Use of low-power television stations for wireless Internet access would facilitate the provision of the Internet to schools and public libraries without the necessity for expensive rewiring of those facilities. For these reasons, there is substantial public interest benefit in encouraging the provision of wireless Internet access.

I anticipate that the subcommittee on telecommunications will take this matter up early next year. I ask my colleagues to join me in supporting this effort.

ASSISTIVE TECHNOLOGY ACT OF 1998

SPEECH OF

HON. CONSTANCE A. MORELLA

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, October 9, 1998

Mrs. MORELLA. Mr. Speaker, I am very pleased that yesterday the House passed S. 2432, the Assistive Technology Act of 1998. The bill, with its House amendments, will soon be brought before the Senate for its consideration and I look forward shortly to its

enactment and signature into law by the President.

In June of this year, I introduced H.R. 4603, the Assistive and Universally Designed Technology Improvement Act for Individuals with Disabilities. H.R. 4603 was also introduced in the Senate as S. 2173, offered by my distinguished Senate colleague from Missouri, Mr. Bond. I am very pleased that S. 2432 incorporates a number of provisions from my bill, H.R. 4603.

Mr. Speaker, my Technology Subcommittee has held two hearings, and two exhibitions, in this Congress on the need to promote greater access to technology for people with disabilities. The testimony from the hearings demonstrated that clear need.

As a result of the hearings, the Technology Subcommittee was impressed with the need for a greater emphasis to develop assistive technologies. Yet, the area of assistive technology is greatly overlooked by the Federal Government and the private sector.

While the importance of assistive technologies spans age and disability classifications, assistive technologies still do not maintain the recognition in the Federal Government necessary to provide important assistance for research and development programs or to individuals with disabilities. The private sector generally lacks adequate incentives to produce assistive technologies and end-users lack adequate resources to acquire assistive technology.

It is also believed that there are insufficient links between federally funded assistive technology research and development programs and the private sector entities responsible for translating research and development into significant new products in the marketplace for end-users. Accordingly, new partnerships—involving the public and private sectors—must be formed to aid Americans with psychical disabilities improve their quality of life and provide a means for acquiring a job to become self-sufficient.

The Assistive Technology Act of 1998 legislates a number of recommendations made in my Technology Subcommittee hearings. We heard of the need to promote greater interest in assistive technologies, to enhance investment opportunities by the Federal Government, as well as public and private entities, in addressing the unmet technology needs of individuals with disabilities, and to allow for increased methods by which individuals with disabilities could purchase assistive technologies. This bill would do just that.

The Act builds on the success of the Technology-Related Assistance for Individuals with Disabilities (known commonly as the ''Tech Act'' or as Public Law 100–407) that we enacted back in 1988. The Tech Act supports all 50 States in providing for the technology needs of our nation's 49 million disabled citizens, focuses the Federal investment in technology that could benefit individuals with disabilities, and supports micro-loan programs to provide assistance to individuals who desire to purchase assistive devices or services.

Title I of the Assistive Technology Act authorizes funding for a number of grant programs for five years, from fiscal years 1999 through 2004, extending the Tech Act after its sunset this year. Under the Act, States will be able to continue the successful programs of technology assistance that has served the disabled community well for the past decade.

In the 10 years since the enactment of the Tech Act, every State has established programs that promote assistive technologies to individuals with disabilities. For example, a very successful partnership has been established with my home state of Maryland to help people with disabilities access assistive technology services and devices.

Additionally, the Assistive Technology Act will help States establish and strengthen systems to inform people with disabilities in determining their best technology options. While there has been a great deal of progress in the creation of new assistive technologies, information about these devices is difficult to find and inconsistent. The Act would authorize the development of a national, on-line resource and distance learning center for people with disabilities. The Act also offers an on-line website to inform the disabled community of newly created assistive technology devices.

Mr. Speaker, assistive technologies are being used to increase, maintain, and improve the functional capabilities of individuals with disabilities. By encouraging the development of assistive technologies, we are offering people with disabilities the abilities they all seek—the ability to successfully compete in the modern workplace and the ability for independence in the home. I urge my colleagues to support this important bill and I will work towards enactment of this worthy legislation.

MEDICARE HOME HEALTH AND VETERANS HEALTH CARE IMPROVEMENT ACT OF 1998

SPEECH OF

HON. JOE BARTON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 9, 1998

Mr. BARTON of Texas. Mr. Speaker, I would like to express my support for legislation passed by the House of Representatives on October 9, 1998, H.R. 4567, ''The Medicare Home Health Care Interim Payment System Refinement Act,'' as it was amended by the Commerce Committee. This legislation will remedy some of the problems the home health agencies in my state and district are facing with the interim payment system passed in the Balanced Budget Act of 1997.

The state of Texas is a unique state in more ways than one. We have a very large and ever-growing population. We also have a very high number of ''new'' home health agencies, meaning agencies established after October 1, 1994. According to the September 1998 General Accounting Office report to Congress on Home Health Agency Closures, Medicare-certified home health agencies in Texas grew from 961 agencies in 1994 to 1,949 agencies in 1997. According to that same report, 134 agencies have closed recently, leaving the state with 1,758 agencies as of August 1, 1998, still more, many more agencies than existed in the state in 1994. As you can see, Texas, as opposed to a state like New Hampshire which has only 46 home health agencies, has been affected greatly by the interim payment system.

One issue I have been very involved with as the Chairman of the House Commerce Subcommittee on Oversight and Investigations is the problem of fraud and abuse in the Medicare and its effect on the continued solvency of the program. One of the changes made in the Balanced Budget Act of 1997 was to move Medicare home health care reimbursement to a prospective payment system (PPS). Since there were impediments to going to a PPS immediately, an interim payment system (IPS) was established for reimbursement to home health care agencies. As stated above, the IPS has caused problems for many agencies, especially newer agencies. The problems with the IPS and the fact that HCFA recently announced that they will not meet the original October 1, 1999 date set for the PPS to be enacted required Congressional action to straighten out some of the problems with the IPS.

There are obviously some bad actors in home health care, but there are many more good ones. I do not believe it was the Congress' intention for good operators to be punished by regulations that are too punitive. The honest providers who want to provide quality care should not be penalized.

The legislation considered by the House makes a move in the right direction. I commend the principals involved, Ways and Means Chairman BILL ARCHER and Health Subcommittee Chairman BILL THOMAS, as well as Commerce Chairman TOM BLILEY and Health Subcommittee Chairman MICHAEL BILIRAKIS, on achieving some legislative relief for the home health agencies in my state as well as across the country.

I do not believe that I am alone in the sentiment that we will be revisiting the home health care issue in the 106th Congress for there are additional issues yet to be considered. I do support this home health package and its contribution towards a workable, efficient, and common sense solution for home health care agencies across this country.

INTERNATIONAL ANTI-BRIBERY AND FAIR COMPETITION ACT OF 1998

SPEECH OF

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 9, 1998

Mr. GILMAN. Mr. Speaker, I rise in support of H.R. 4353, ''The International Anti-Bribery and Fair Competition Act'' and ask permission to revise and extend my remarks.

This legislation provides the underlying authorities for the implementation of the Anti-Bribery Convention of the Organization for Economic Cooperation and Development which criminalizes the bribery of foreign public officials.

I would like to compliment the principal sponsor of this legislation, the gentleman from Virginia, Chairman BLILEY, for his leadership in this issue and for his assistance and cooperation in including reporting provisions that ensure that the administration carefully monitors the implementation of this OECD Convention, that it be updated and amended to include other officials, including political parties, party officials or candidates, and that nongovernmental groups such as Transparency International have a role in the review process.

Mr. Speaker, since the Foreign Corrupt Practices was adopted in 1977, the U.S. was

the only country that prohibited the practice of bribery of foreign officials.

From the point of view of our Committee, fighting corruption on an international basis is important for reasons beyond just ''levelling the playing field'' for business.

It is also important because corruption, in and of itself abroad harms American interests. Corruption of public officials abroad undermines democracy and retards development: funds are diverted from the intended use into the hands of ruling elites who perpetuate their power. This is truly a vicious circle—one that has to be broken.

Even though it has taken decades for the world to begin to follow our unilateral effort, and I stress the word ''unilateral'', I believe the prize is worth having.

With The passage of this implementing legislation today I am pleased that we will soon be taking part in a 29-nation OECD-led effort toward this same goal. It is critical that we pass this important legislation so the U.S. can continue to take the lead in ensuring that bribery and corrupt practices be driven from the international marketplace.

Accordingly, I urge the adoption of this measure.

AUTHORIZING THE COMMITTEE ON THE JUDICIARY TO INVESTIGATE WHETHER SUFFICIENT GROUNDS EXIST FOR THE IMPEACHMENT OF WILLIAM JEFFERSON CLINTON, PRESIDENT OF THE UNITED STATES

SPEECH OF

HON. VINCE SNOWBARGER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 8, 1998

Mr. SNOWBARGER. Mr. Speaker, I rise in support of H. Res. 581. The House Judiciary Committee must hold a formal inquiry into whether the charges set forth by the Independent Counsel are sufficient grounds for the impeachment of the President of the United States.

We shirk our constitutional duty as Members of the U.S. House of Representatives if we bury our heads in the sand in the face of evidence that the President—having sworn an oath to tell the truth, the whole truth and nothing but the truth—may have committed perjury before a Federal judge and before a grand jury, may have involved other administration officials in a cover-up, and may have conspired to suborn perjury.

The President's apologists on the other side of the aisle are quick to point out that Mr. Clinton's admitted pattern of lies were to cover up an affair with a White House intern. The lies with which we are concerned were not to his family. Let us face the fact that his lies also were a deliberate effort to subvert justice in a sexual harassment suit filed against him by another workplace subordinate. He was a defendant, trying to dodge a judgment by fudging the truth.

To ignore the President's transgressions, to allow this President to escape the scrutiny he has earned by his own actions, would be to establish a precedent in which perjury by future elected officials would be permissible. That is not tolerable in a nation based on the sanctity of law.

What do we say to the 100-plus prison inmates who are behind bars for their failure to tell the truth in courtrooms if we abdicate our duty to further investigate this President? What do we say to Susan McDougal, a friend of Mr. Clinton's who languished in prison for 18 months after refusing, like our President, to fully answer the questions of a grand jury? Do we tell them that our President is above the law?

More importantly, what do we say to those who are victims of such perjury in the future? Do we tell them justice does not matter and lies under oath are no longer really important?

Mr. Speaker, Justice is blind so she cannot be influenced by the sight of who is before her, no matter how exalted an office he may hold. Her scales are balanced so that all before her are treated equally. If a man who holds the highest office of trust the people of this Nation can bestow may—with impunity—unbalance those scales through perjury, none of our fine legal and judicial institutions mean anything other than a cynical farce.

The President is still presumed innocent. By voting for this resolution, I am not voting for a rush to judgment or a preordained result. That would be just as much an abuse of the process as ignoring the charges because they are made against the President. The Independent Counsel has presented his report and the evidence supporting it cites possible impeachable offenses. The President has the right to present his formal defense. But for him to do so, there must be an inquiry. That is why we must pass this resolution.

CONFERENCE REPORT ON H.R. 3874, WILLIAM F. GOODLING CHILD NUTRITION REAUTHORIZATION ACT OF 1998

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 8, 1998

Ms. JACKSON-LEE. Mr. Speaker, thank you for the opportunity to speak on this important bill. This program, the Women, Infants and Children nutrition program provides nutrition education and supplemental food to low-income pregnant and post-partum women, infants and children up to age five. The purpose of the bill is to reauthorize through the year 2003, the WIC nutrition program. It also contains other provisions including breastfeeding promotion which I have supported through my co-sponsorship of the Lactation in the Workplace Act.

This program will also reauthorize a national summer food program for children of low income families, because children need to eat even when they are out of school. In my opinion, Mr. Speaker, there is nothing more important than making sure our children and our families are safe and healthy.

WIC provides our children with the basics they need. This is not a luxury program, it is a necessity, and we must continue to reauthorize it!

I cannot imagine that anyone would vote against this bill that keeps our children fed, and helps our families survive. Thank you for the opportunity to speak here today.

TRIBUTE TO ALLSTATE INSURANCE COMPANY

HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 10, 1998

Mr. SHERMAN. Mr. Speaker, I rise to acknowledge the Allstate Insurance Company for its leadership and dedication to enhance the lives of the members of the communities it serves and for its strategic commitment to the diverse Hispanic community. Today Allstate is the leading national company among Hispanics for auto, property, and life insurance.

The Allstate Insurance Company and its agent network have a long heritage of caring and commitment. For over sixty years Allstate has actively supported the community by establishing ''Helping Hands'' activities, the philanthropic efforts of the Allstate Foundation, programs such as the Allstate Giving Campaign and All-American City Awards, and by their participation in the President's Summit for America's Future and important working relationships with the National Council of La Raza (NCLR). HAPCOA (Hispanic American Police Commanders Association) and SER (Service, Employment and Redevelopment).

Add to this the more than one million hours Allstate employees and their families volunteer annually to shelters, hospitals, soup kitchens, schools, and places of worship and we see how Allstate keeps the tradition of giving alive.

Throughout its history the company has been tirelessly involved in providing time and financial resources to civic, charitable, humanitarian, government, and educational causes as well as safety and prevention programs that target teen drivers, fire prevention, theft, and child, property, and home safety.

Becoming a major sponsors of the 1998 Latino Book and Family Festival and supporting Edward James Olmos' efforts to link culture through literacy and education, further demonstrates the Allstate commitment to support programs that are of importance to their customers and to each of us.

Mr. Speaker, distinguished colleagues, please join me in paying tribute to the Allstate Insurance Company, a role model of good corporate citizenship for Corporate America.

MONEY LAUNDERING AND FINANCIAL CRIMES STRATEGY ACT OF 1998

SPEECH OF

HON. JAMES A. LEACH

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 5, 1998

Mr. LEACH. Mr. Speaker, I would like to include for the RECORD the following statement memorializing an understanding between the Committee on Commerce and the Committee on Banking and Financial Services relating to a specific provision of H.R. 1756:

Section 2 of H.R. 1756 amends Chapter 53 of Title 31 of the United States Code to direct the Secretary of the Treasury to ''regularly review enforcement efforts under this subchapter and other provisions of law and, when

appropriate, modify existing regulations or prescribe new regulations for purposes of preventing'' money laundering and related financial crimes. On June 25, 1998, the distinguished Chairman of the Committee on Commerce, Mr. Bililey, wrote me to express the concern that ''such a broad mandate could be interpreted to authorize the Secretary of the Treasury to review enforcement actions under the Federal securities laws or to modify regulations promulgated pursuant to the Federal securities laws, or to grant the Secretary of the Treasury new or additional authority to prescribe regulations applicable to entities that are regulated pursuant to the Federal securities laws.''

In response, I hereby affirm that it is not the Banking Committee's intent for the language in Section 2 to grant the Secretary of the Treasury any new or additional authority over entities that are regulated pursuant to the Federal securities laws, or to require or encourage the Secretary of the Treasury to review enforcement actions under the Federal securities laws or to modify, or recommend the modification of, regulations promulgated under the Federal securities laws.

TRIBUTE TO MARK BERRY

HON. MARION BERRY

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 10, 1998

Mr. BERRY. Mr. Speaker, I rise today to recognize a great American. Mark Berry is the kind of man that has made this country the great Nation it is today. He works hard, plays by the rules, and asks only to be given a chance.

Mark is a man who started literally from scratch, with little more than the great heritage we share, and built a nice farm and agribusiness. He is a leader in his Church, community, and his profession that he loves so. His accomplishments also include bringing three wonderful children into the world and raising them to be successful adults and productive citizens. Their heritage will be his good name.

He is the kind of man that always does much more than his share when there is a need. He never asks, ''Do I owe it to them?'' only ''Do they need my help?'' His generosity knows no bounds.

He follows the tradition of his father in teaching generations of young people how to hunt and fish and is much beloved because of this. His skills in this area are considerable partly because he assigns a high priority to pursuing this avocation. He is the kind of man that a mother and father will look upon and say ''He is my son and I am so proud of him.'' Lloyd and Eleanor Berry, I am sure, absolutely burst with pride today.

His community of Bayou Meto has benefited from his service for all of his years and this world is a better place because he is here.

Mark and I have been associated in business for all our adult lives and have never had a cross word.

It is my good fortune for him to be my brother whom I love dearly.

TRIBUTE TO THE HONORABLE GERALD SOLOMON (R–NY)

SPEECH OF

HON. FLOYD SPENCE

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 6, 1998

Mr. SPENCE. Mr. Speaker, it is with a great sense of personal pleasure that I join in this tribute to a truly exceptional Member of Congress, United States Marine, and American patriot, the gentleman from New York, JERRY SOLOMON. After 20 years of dedicated service in Congress, JERRY has chosen to retire for a truly honorable and understandable cause—to spend more time with his beloved family.

As a friend, colleague and longtime fan, I find it difficult to find the words to properly express the many contributions JERRY has made to his country, the military and this institution. JERRY served as a United States Marine during the Korean War. His military service marked the beginning of a lifetime of service and commitment to a strong national defense and to the welfare of our armed forces. Whenever and wherever there was a debate or a reason for this House to act to protect or advance the cause of American national security, you could always count on finding JERRY SOLOMON in the thick of it, fiercely determined and dedicated to ensuring we not sacrifice or place in danger our most precious commodities—our freedom and liberty in a dangerous world.

I can state without equivocation that there has been no greater advocate for the brave men and women in uniform who stand at the ready to protect the freedoms that we enjoy. Whether fighting to protect veterans benefits, the integrity of the selective service or adequate resources for our military, JERRY has always worked to ensure that the Congress fulfills its greatest Constitutional duty—to provide for the defense of this nation.

As the Chairman of the House National Security Committee, I have been particularly blessed to be able to turn to Chairman JERRY SOLOMON for the past four years for help and guidance in bringing the annual national defense authorization bills before the Rules Committee and the House floor. Our Committee's record of success on the House floor can be largely attributed to JERRY's tireless commitment to a fair and open process coupled with an unmatched devotion to our American men and women in uniform and commitment to maintain a strong defense.

These efforts have been particularly important in a time when most Americans take today's economic prosperity and relative global peace for granted. JERRY has always recognized the important role that a strong U.S. military plays in maintaining America's global leadership. He truly understands that the end of the Cold War was not the end of a dangerous world. Indeed, the end of the Soviet Union meant only that the many threats to U.S. national security, including regional unrest, terrorism, proliferation of weapons of mass destruction, and ethnic violence, would no longer be contained by the Cold War.

JERRY's departure from this House will be a loss to this nation. He will leave behind a huge and difficult gap to fill in the contingent of members dedicated to the honorable but increasingly frustrating cause to halt the further erosion of U.S. military capability. However, his leadership, his dedication and his tireless efforts toward this cause will continue to serve as an inspiration to those of us left behind.

I wish to offer my very best wishes to JERRY and his wife, Frieda, and their family as he pursues what I am sure will be another distinguished career in the years ahead. I personally will miss his friendship and guidance, but I know that this fighting spirit will remain in this chamber long after his departure. As a fellow former member of the maritime services, I offer JERRY the traditional navy fond farewell—''Fair Winds and Following Seas!''

CONFERENCE REPORT ON S. 2206, COATS HUMAN SERVICES REAUTHORIZATION ACT OF 1998

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 8, 1998

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today to express my support for the Conference Report on Coats Human Services Reauthorization Act because its good for our working families and good for our children.

The Conference Report reauthorizes the Head Start, Community Services Block Grant, and Low-Income Home Energy Assistance Program through Fiscal Year 2003.

The purpose of this legislation is to promote school readiness by enhancing the social and cognitive development of low-income children, to low-income children and their families, of health, educational, nutritional, social, and other services based on a families needs.

The Conference Report will provide assistance to States and local communities, working through a network of community action agencies and other neighborhood-based organizations, for the reduction of poverty, the revitalization of low-income communities, an the empowerment of low-income families and individuals in rural and urban areas to become fully self-sufficient. In addition, this legislation will strengthen a community ability for planning and coordinating the use of a broad range of Federal, State, local, and other assistance related to the elimination of poverty, so that this assistance provided for in this report can be used in a manner responsive to local needs.

The development and implementation of these programs designated to serve low-income communities and groups with the maximum feasible participation of residents of the communities and members of the groups served, so as to best stimulate and take full advantage of capabilities for self-advancement and assure that the programs are otherwise meaningful to the intended beneficiaries of the programs.

IN MEMORY OF VENTURA AND LOS ANGELES COUNTY'S FALLEN OFFICERS

HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 10, 1998

Mr. SHERMAN. Mr. Speaker, I rise today to pay tribute to seven law enforcement officers

who have fallen in the line of duty over the past twenty-two months.

Police officers undertake a solemn oath to protect and serve their fellow citizens and, if necessary, sacrifice their lives to fulfill this duty. The following seven brave individuals—Officer Charles Andrew Lazzaretto, Officer Van Derrick Johnson, Deputy Sheriff Shayne Daniel York, Deputy Sheriff Michael Lee Hoenig, Police Officer Steven Gerald Gajda, Officer Filbert Cuesta, and Ventura County Senior Deputy Lisa D. Whitney—have paid the ultimate price for the preservation of public safety and civility in the cities of my district.

Selflessly, they dedicated their lives to protecting others and serving our communities. Like their colleagues across the country, they carried out their duties each day with courage and honor. Without trepidation, they confronted the dangers inherent in their line of work and ultimately gave their lives in the service of our community. To these brave souls we extend our gratitude. To their families, we extend our most heartfelt sympathies and appreciation. Their memories will linger in our hearts. Their sacrifices have not been in vain.

Mr. Speaker, distinguished colleagues, please join me in remembering these seven members of the law enforcement community who, like so many others before them, have given their lives to protect others, doing so with unrivaled courage, valor, and honor.

COMMEMORATING THE 150TH ANNIVERSARY OF PEAPACK REFORMED CHURCH

HON. MICHAEL PAPPAS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 10, 1998

Mr. PAPPAS. Mr. Speaker, I rise today to congratulate the congregation of Peapack Reformed Church as they celebrate their 150th anniversary.

The church is part of the Dutch Reformed Church in the U.S.A., the oldest Protestant denomination in this country founded when the Dutch settled in New Amsterdam. Peapack Reformed Church originally met in meeting houses throughout the Peapack-Gladstone area until they built and moved into their present church building.

The congregation is a small, close-knit community, dedicated to each other as well as to those in their surrounding area. They have an annual, ''Community Day,'' a day when the honor the people of the Peapack-Gladstone community-at-large. The day features historical tours, a barbeque and events for the children of the community. The church also hosts two events every year in order to raise money for the Central New Jersey Visiting Nurses Association.

I wish to congratulate the congregation of Peapack Reformed Church for 150 years of serving the cause of Christ in central New Jersey. It is my honor to have this church within the borders of the twelfth congressional district and I wish them well in their desire to continue for another 150 years.

AUTHORIZING THE COMMITTEE ON THE JUDICIARY TO INVESTIGATE WHETHER SUFFICIENT GROUNDS EXIST FOR THE IMPEACHMENT OF WILLIAM JEFFERSON CLINTON, PRESIDENT OF THE UNITED STATES

SPEECH OF

HON. DEBBIE STABENOW

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 8, 1998

Ms. STABENOW. Mr. Speaker, today, Members of the United States House of Representatives will make a critical decision affecting the lives of the people we represent. Men and women, young and old, who work hard everyday and care about their families want us to deal with President Clinton's irresponsible behavior and lack of truthfulness in a fair and responsible manner. And, they want us to do so as quickly as possible so that we can return to the important issues affecting their families. They also want us to rise above partisan self-interest and do what's best for the country—not as Democrats and Republicans, but as Americans.

I am deeply concerned that this Congress will not meet that test today. We have two proposals before us. The question is not whether or not to proceed, but how to proceed. One proposal gives us the opportunity to come together in a bipartisan way and vote to begin an inquiry into impeachment on the issues raised in the Starr Report, and to bring this inquiry to conclusion by the end of this year.

The Republican alternative is an open-ended, unchecked process that could continue throughout the next Congress with no requirement to limit its focus on the issues formally presented by the Special Prosecutor. In all good conscience, I cannot endorse this process since I sincerely do not believe it is in our nation's best interest. It is not in the interests of the families I represent to put our country in suspended animation for months and months when we have the ability to bring this to a responsible conclusion this year.

I, therefore, intend to support the proposal to proceed with an impeachment inquiry with a deadline of December 31, 1998. This motions allows an extension of the deadline if an extension is supported by the evidence. But, most importantly, the proposal I support does not allow millions of dollars and hours to be spent without any accountability for timely results.

I believe the American people deserve no less from us. We must address this crisis fairly and responsibly and get back to the people's business. I implore my Republican colleagues to join us and to join America in a process of which we can all be proud.

AUTHORIZING THE COMMITTEE ON THE JUDICIARY TO INVESTIGATE WHETHER SUFFICIENT GROUNDS EXIST FOR THE IMPEACHMENT OF WILLIAM JEFFERSON CLINTON, PRESIDENT OF THE UNITED STATES

SPEECH OF

HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 8, 1998

Mr. ORTIZ. Mr. Speaker, throughout this whole unseemly matter, I have tried desperately to cling to the dignity of the instruction of the Constitution to guide my actions. I have carefully weighed the evidence we have seen so far: the Referral from the Office of Independent Counsel (OIC), the President's taped testimony, and the reams of evidence in support of the OIC Referral. As a grand juror in this process, evaluating the evidence carefully, and privately, is consistent with my constitutional role.

Today, the House allows the Judiciary Committee to move forward on the investigatory phase of the impeachment process. We are not voting on impeachment; that is the duty of the Senate. We are not quite yet to the actual grand jury phase of this process; we are at the point where Congress' prosecutors and investigators are asking to complete that part of the Constitutional obligation. My vote today is based on only what the OIC has referred to us.

It is important to complete the process. We should be fair. We have yet to see witnesses deposed or cross-examined, nor weighed additional evidence. Today the House has a choice, to investigate only what the OIC referred to us and be finished by the end of the year, or to continue the steady drumbeat of those things already investigated by the FBI, the OIC and the Congress. There is no need for such a shotgun approach.

Today's vote is in deference to the Constitution. No one will report this, but that Constitutional deference should be the single most important point made in analyzing Democratic votes on either plan to continue the investigation. The House vote to analyze, for those who wish to do that, is the next full House vote; that will speak to the actual question of impeachment.

My votes today, for democratic alternative and in opposition to the Republican plan, are an indication that what we have received from OIC may be sufficient for the inquiry. Again, remember, this was not a vote on the question of impeachment, it is a vote for the HJC to proceed with the inquiry. The next possible action by the House will be any action we may take on actually referring articles of impeachment to the Senate. The final question of impeachment rests with the Senate.

MEDICAL OPTICAL SIGNAL PROCESSOR

HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 10, 1998

Mr. SHERMAN. Mr. Speaker, I rise today to bring attention to a new technology called the

medical optical signal processor. Today, in the world of ever-advancing medical technology, key words like telemedicine, laser surgery, and computer second opinion are used to address the new frontiers that are being discovered through the leveraging and exploitation of existing technologies. But, now is the time for these new frontiers in medicine to be even further challenged. It is time that we expand our horizons and to stock our arsenals with new and innovative technologies. It is ironic that one of the most potent and promising weapons in our technological arsenal may be as elementary or as fundamental as simple light. The use of light to process data is not new or particularly difficult. In fact, the use of light is not very different from the way the human eye and brain work in processing visual data. This new technology is called the medical optical signal processor (MOSP).

The domestic medical landscape is pursuing unprecedented change to combat the spiraling costs of health care. Cost containment and resources consolidation are forcing commercial and military healthcare providers to turn to sources outside the traditional medical community to improve the quality of care. The concept of transitioning optical signal processing (OSP) technology to enhance present and future medical imaging systems detecting and identifying key pathologic features within two-dimensional medical imagery may prove not only cost effective but may validate the leveraging of dual use technologies between the military and commercial sectors. MOSP has not only great promise in civilian and military medical applications has shown great promise and it leverages upon the advances already being made in its use for automatic target recognition (ATR) in both civilian and military applications.

Many of my colleagues on the House Science Committee, as well as those on the traditional defense oversight committees, are dedicated to finding and funding the best technologies that will allow the U.S. to make quantum leaps ahead in improving our security and our way of life. In an era when the American people expect their elected officials to be prudent and careful stewards of their federal budget dollars, it is important that we carefully choose those areas of research that will bring a greater return on our investment. I believe medical optical signal processing may be a technology that does just that.

MOSP is best utilized in developing an advanced imaging system for the management of breast and prostate cancer. MOSP has a compelling and potential benefit in all areas of radiology in enhancing and analyzing imagery. It enjoys an advantage as a two-dimensional processor with the power of multiple Cray computer imagery processing in a small package. It can leverage the sensitivity of X-rays and specificity of high definition ultrasound in a multi-sensor correlation. It exploits recent OSP technology to create self-adapting imaging systems, which places minimal demands on operator skills while improving soft tissue contrast. All this facilitates a broad spectrum of diagnostic and therapeutic options. But most importantly, if reduces the trauma to the patient.

Congress has been a major supporter of the OSP industry, and lately has recognized the need for optical processing to resolve next-generation pattern recognition in military applications. Congressional assistance is needed in supporting further military and commercial application opportunities for optical correlators. In the FY97 National Defense Authorization Act the House National Security Committee wrote:

The committee is aware of the potential of optical correlators for signal processing and anomaly detection in military systems. The committee believes optical correlators also have similar potential in medical research such as for the detection of tumors.**P***The Secretary of the Army's ''Report to the House Committee on National Security on the Potential Use of Optical Correlators in Medical Research,'' addressed the use of optical correlators for signal processing and anomaly detection in military systems. It points out one of the early advantages of OSP technology as:

* * * a key component is the high speed correlator which does the actual comparison and reports out numerical scores on the degree of similarity between objects in the image and targets of interest, be they enemy tanks or cancerous cells.**P***The report focuses on the military application of OSP technology in the need to significantly speed up the computation process of features found in imagery. It does not address the many other changes in this technology over the last three years. But, the report does specifically address cancer in one statement:

* * * In cancer screening applications, this means a higher probability of detecting a cancerous mass while simultaneously reducing the probability of falsely reporting benign tissue as cancerous.**P***In 1997, the Congress continued to address the use of optical correlators in missile technology, both for the navy and Air Force. For the first time, funding was added to the Standard Missile program of the US Navy, and for a continuation of a US Air Force Air-to-Ground missile (AGM) effort called, optical processor enhanced LADAR (OPEL). But unfortunately due to defense budget constraints, additional funds were not found and the medical application was not appropriated.***P***In 1998 the House further attempted to deal with the potential medical application of OSP, by providing authorization to the US Army. The House National Security Committee wrote that:

* * * The committee also recommends an increase of $2.0 million in PE 62787A for applied research in the use of low cost optical correlator technology in medical diagnosis . . .**P***It was hoped that this seed money would provide the spark to improve the quality of care of the men and women protecting out country and open new medical imagery analysis technology in medical areas outside of radiology such as ophthalmology, dermatology, trauma or triage treatments, and many others. Unfortunately, due to the constraints in this year defense budget, the Congress was unable to support adding funds to this year's appropriations for the Army to proceed with this program. To this member, this was extremely shortsighted.***P***In 1993 the NCI reported that one-in-eight women would contract breast cancer at some point in her lifetime. One in four men may face the same fate at the hands of prostate cancer.***P***When an abnormal breast or prostate mass is detected by mammography or by a physician's clinical examination, a biopsy is almost always recommended. A pathologist examines the tissue to determine if the lump is cancerous. The psychological trauma this creates in anyone is beyond measure and is normally endured over many weeks of tests and waiting. Healthcare should be effective and as timely as possible to prevent any emotional and traumatic episodes to one's life. Optical processing is the technology that can drive the current process from weeks to one day: examine—biopsy—results. Improving the quality of care to the patient and their families. As we fight cancer, we can also reduce the trauma it brings.***P***Photonics Spectra, a leading publication for the Optical industry, quoted the report of the Committee on Optical Science and Engineering, a group created by the national Research Council, as saying:

* * * that light-based technologies have a vast and growing range of critical applications in virtually every scientific discipline and a large number of industrial fields * * * In healthcare, it urges that the National Institute of Standards modify its disease oriented structure to provide more funding for optical technologies.

Optical signal processing technology that is properly adapted for embedded use in medical ultrasound imaging systems, will create a paradigm shift within the radiology industry leading to a new generation of higher performance systems with outstanding soft tissue visualization capabilities. It will also leverage the correlation and benefits of multiple radiological systems. In as much as all of us, as Members of Congress, the stewards of our nation's health and well being. It is essential that we remain: informed of the advances in science and technology, vigilant to providing the leadership and insight needed to move forward when an opportunity avails itself, and the wisdom to seize and leverage that opportunity. Through leveraging the investment and advances already made in optical processing technology, we can continue to exploit this technology not only for its military and commercial target recognition applications but for its potential to bring better quality of care to civilian and military medical systems. We owe it to our nation to move forward with this good ideal. We owe to the nation to move forward with this good technology. I hope all my colleagues on both sides of the aisle will join me next year in supporting this type of research and technology throughout the entire federal science and technology budget because the advances and victories of science and technology are non partisan. They are victories in which all Americans will share. While the revages of cancer and other diseases will not pick sides or discriminate, it will strike us all regardless of our political beliefs or our stature in life. We owe nothing less to our friends and colleagues in the Congress who have suffered the anguish of breast and prostate cancer for themselves and for their loved ones, but more importantly, we owe it to the millions of our

constituents, who hope everyday that we, as their stewards of the budget, will make the right decisions for them that allows this nation to remain healthy and safe.

MEDICARE HOME HEALTH AND VETERANS HEALTH CARE IMPROVEMENT ACT OF 1998

SPEECH OF

HON. ROBERT A. WEYGAND

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, October 9, 1998

Mr. WEYGAND. Mr. Speaker, I rise this morning to express my support for this legislation which provides some measure of relief to certain home health care agencies in my state. I want to thank my colleagues, Mr. MCGOVERN,1 Mr. COBURN, Mr. CARDIN, Mr. STARK and others who have worked hard on this issue with me since last year.

Last May, I sponsored an amendment to the Budget Resolution which was the first legislative action taken on IPS reform during the 105th Congress. This amendment, which passed unanimously, was significant because it called upon this Congress to take active steps to restore fairness and equity to the IPS. It called upon Congress to examine the effects of the IPS on low cost agencies and stressed the importance of accomplishing reform before the 105th Congress adjourned. I am pleased that Congress has addressed this issue and hope we can pass something which will be signed by the president soon.

Although this legislation before us today does not provide the amount of financial assistance that I believe is necessary, I believe it represents a first step to restoring some of the unfair and inequitable cuts enacted by the Balanced Budget Act.

The home health care provisions within this bill will help some home health care agencies, particularly those in my home state operating below the national average. By providing fifty-percent of the difference between an agency's current per beneficiary limit and the national average, Medicare will provide some additional reimbursement to many agencies in my state.

The legislation also permits home health care agencies operating above the national average to continue receiving the reimbursement they currently receive. Although some of these high cost agencies may be deserving of higher reimbursement, I have concerns that this payment policy continues to provide rewards to home health care agencies which were not frugal prior to the passage of the Balanced Budget Act, and effectively continues to penalize agencies which worked tirelessly to contain their costs. This is due, in part, to the large reliance to agency-specific data, as mandated by the Balanced Budget Act. I had wished that the resolution to this issue would have better addressed this situation and created a more level playing field, and home that with ongoing communications with the Senate and the Administration, we can work to further refine this measure to restore more equity into the home health care system.

I am disappointed that this legislation does not provide relief retroactively to home health care agencies. As you are aware, the Balanced Budget Act subjected home health care agencies to per beneficiary limits for cost reporting periods beginning on or after October 1, 1997. Some home health care agencies throughout the nation have been operating with low per beneficiary limits during their current cost reporting periods and need assistance now. While this legislation will provide much needed relief to some home health care agencies for cost reporting periods beginning during or after fiscal year 1999, it will not provide immediate relief to many deserving home health care agencies.

While I am pleased we have reached this point and will support this bill, there remains a great deal to be done. With the passage of the Balanced Budget Act, Congress mandated an additional fifteen percent cut in home health care if the new payment system is not fully implemented. The administration signaled in August that the new system will not be ready before October 1, 1999 so the cut remains a real threat to home health care agencies in the very near future. We need to address this issue and I look forward to working with my colleagues to delay or repeal this 15% cut next year.

I want to express my appreciation to the Committees on Ways and Means and Commerce for recognizing the situation home health care agencies and their Medicare beneficiaries face. Home health care is an important service that we must work our hardest to preserve. Home health care allows seniors to remain home and retain their dignity and independence. While this legislation does not accomplish all I had wanted, I support its efforts, applaud its goal and urge my colleagues to support it.

SENSE OF HOUSE REGARDING NATIONAL SCIENCE POLICY

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 8, 1998

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise to speak on behalf of this resolution, which states that the report entitled ''Unlocking Our Future: Toward a New National Science Policy'' shall be used by this Congress as a starting point for our future science policy.

I would first like to recognize the hard work that Congressman EHLERS has put into this report. I would also like to let him know that I look forward to working with him, and the other Members of the Science Committee in the future, towards implementing some of the ideas set forth in this Report.

However, I would also like to add that I support this resolution because it indicates that this report should ''serve as a framework for future deliberations''. It is a start to a process, one which I hope to work within so that others can add their views and values to the development of a true ''National Science Policy''. Therefore, I would like to note some issues, which were omitted from the report, which I hope will be added to our agenda on science, math, and engineering.

The report fails to fully address the problem of under-represented populations in the fields of science and technology. We all know that there is a severe shortage of minorities, women, and people with disabilities in these areas, yet the report does not make any real acknowledgement of the situation, and as a result, it does not contain any ways to make it any better. I hope to change that as we move forward in the development of our National Science Policy.

I believe that Congress should play a role in making sure that every segment of society receives the benefits of, and helps develop our scientific advances. Already, we have passed legislation, with bi-partisan support, to improve the involvement of minorities and women in the hard sciences. Just a few weeks ago, we overwhelmingly passed the Advancement of Women in Science, Engineering, and Technology Act, which will ensure that women are encouraged to enter the fields of science and technology. I have also gotten bipartisan support in the Science Committee, where I was able to amend several bills to ensure that minority students are able to take advantage of federal grant programs made available through the Federal Aviation Administration (FAA) and NASA. I am proud of that work, not only because of what it does for under-represented groups in science, but also because my friends on the other side of the aisle saw the importance of the issue, and were willing to make the decision that we need to get all Americans involved in science. Therefore, I would propose that any official ''National Science Policy'' include this important issue so that we can continue to work to improve this situation throughout the next Congress.

I also believe that we need to work to include the social and behavioral sciences in our science policy, which were given little or no attention in this report. Although I see the importance in making sure that we progress in the area of basic research and the ''hard sciences'', we should not focus on those two disciplines exclusively. The social sciences should continue to be developed so that we can better grapple with problems that affect our entire nation, like improving our education system, and working towards better public health. Furthermore, the behavioral scientists have a unique understanding of the human mind that cannot be captured by biologists or medical doctors.

For the report to omit these important disciplines is a disservice to those respective scientific communities, and it is only worsened by the fact that the Report advocates that the hard sciences be used actively in the legislative process. While I applaud the application of the hard sciences to our activities, I also see the social and behavioral sciences playing an important role here in Congress, and will work towards ensuring it. This is especially true in light of the fact that the courts have actively rebuked the use of social science materials in cases like McClesky v. Kemp (1987). Although I do not agree with the outcome of that case, I feel that it properly illustrates the fact that the social sciences, and the use of statistics, must be used to remedy the problems that afflict large segments of society—like the undercount in the Census. It is more than ironic that through current times, the most compelling use of a social science study by the judiciary created perhaps the most monumental court decision of our time, Brown v. Board of Education. For those reasons, I hope that we can better integrate all of the sciences in our National Science Policy.

I would also like to add that I hope our National Science Policy will include further efforts

to improve our K–12 institutions. Because K–12 is crucial in the development of science and math-savvy college students and workers, I believe we must concentrate a good portion of our resources on turning out good engineers, mathematicians, and scientists. We all know how important that is for our economy, the technology industry is the fastest growing segment of our society, and just a few weeks ago, we had to vote on whether or not to expand the number of visas available to highly-skilled workers from outside the United States! We could easily solve that problem by ensuring that all students graduating from high school have more than rudimentary skills in the areas of math and science and are encouraged to follow up on that education in a college or university.

Having highlighted these issues and with the understanding that I would like them included in our future discussions, I would like to endorse the use of this Report as a starting point for bringing science, math, and engineering to the forefront of our national agenda.

HONORING RANDALL J. COLEMAN, 1998 HENRY EVANS VOLUNTEER OF THE YEAR AWARD

HON. PHIL ENGLISH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 10, 1998

Mr. ENGLISH of Pennsylvania. Mr. Speaker, it is with great pride that I rise today to honor Randall Coleman who recently received the Henry Evans Volunteer of the Year Award.

This award is presented annually by the Shenango Valley Chamber of Commerce in order to honor a person who not only volunteers his time to support the chamber, but also volunteers in other community organizations. Randall Coleman has shown a lifelong commitment to volunteer service.

Mr. Coleman lives in the Shenango Valley with his wife Ann and son Grant. He has had a distinctive and promising career with Penn Power where he currently serves as the Mercer County Area Manager. But is Mr. Coleman's active role in the community that makes him a invaluable asset. He currently serves as a president of the Kiwanis Club of Sharon, as a member of the Pennsylvania Electric Association, the Pennsylvania Economy League, Private Industry Council, and the National Association of Industrial Office Properties, the American Heart Association as well as serving as a member in the fundraising cabinet of the United Way of Mercer County in its construction division.

Mr. Coleman served as the coordinator of volunteers for the Special Olympics of Mercer County. However, Randall Coleman feels that his most rewarding experience was teaching handicapped children to swim as an American Red Cross Lifeguard. It was a rewarding experience because for these children achieving this goal is more difficult because of their special needs.

I am proud to recognize Mr. Coleman's achievements today. He is certainly an asset to our community in western Pennsylvania.

ROBERT GEAKE, A DEDICATED PUBLIC SERVANT

HON. JOE KNOLLENBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 10, 1998

Mr. KNOLLENBERG. Mr. Speaker, I rise today to recognize a distinguished public servant in my home State of Michigan, State Senator Robert Geake.

Born on October 26, 1936, in Detroit, MI, Bob grew up in the neighboring suburb of Ferndale. He attended the University of Michigan, earning a B.S. in special education, an M.A. in guidance and counseling, and a Ph.D in education and psychology.

After completing his education, Bob pursued a career in psychology and became an accomplished psychologist. In 1972, Bob was elected to the Michigan House of Representatives where he served with distinction until being elected to the State Senate in 1977.

Senator Geake established himself as the Michigan Legislature's expert on mental health issues. He also took an interest in anti-crime measures and spearheaded Michigan's anti-stalking laws. Under his leadership, Michigan has the nation's toughest and most enforceable laws against stalking. Senator Geake has also led the fight to enact tough penalties against drunk driving and sponsored legislation to eliminate Michigan's inheritance tax. A leader on child development and family issues, Senator Geake has been instrumental in passing legislation to crack down on dead beat parents who are delinquent in their child support payments.

Senate Geake is known in Lansing as a statesman and one of the most effective lawmakers in the State Legislature. A recent analysis by the Detroit News indicated that Senator Geake ranked first among the 148 Michigan lawmakers in the numbers of bills passed.

Senator Geake is retiring from the State Senate at the conclusion of his term this year. His leadership will be missed. Senator Geake has been a strong advocate for Michigan families. His efforts to cut taxes, strengthen families, and make our communities safe from violent crime have made Michigan a better place to live.

I wish Senator Geake and his wife, Carol, the best of luck in their future endeavors.

PERSONAL EXPLANATION

HON. DEBORAH PRYCE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 10, 1998

Ms. PRYCE of Ohio. On October 10, 1998, I was absent due to an illness in my family. I received an official leave of absence from the majority leader in this regard.

However, had I been present, I would have voted in the following manner on the following legislation:

H.R. 4567. To revise Medicare program—On suspending the rules and passing the bill (Rollcall No. 516) ''aye,''

H. Con. Res. 334. Relating to Taiwan's participation in the World Health Organization—On suspending the rules and agreeing to the concurrent resolution (Rollcall No. 517) ''aye.''

H. Con. Res. 320. To support the Baltic people of Estonia, Latvia and Lithuania—On suspending the rules and passing the concurrent resolution (Rollcall No. 518) ''aye.''

H.R. 2616. Charter Schools Senate Amendments—On suspending the rules and passing the bill (Rollcall No. 519) ''aye.''

S. 852. Auto Salvage—On suspending the rules and passing the bill (Rollcall No. 520) ''aye.''

FCC AND TELEPHONE COMPETITION

HON. W.J. (BILLY) TAUZIN

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 10, 1998

Mr. TAUZIN. Mr. Speaker, today I am introducing legislation with several original cosponsors. They are Mr. DINGELL, Mr. OXLEY, Mr. BOUCHER, Mr. ROGAN, Mr. BONIOR, Mr. GOODLATTE, Mr. KLINK, Mr. HASTERT, Mr. WYNN, and Mr. BURR. Mr. speaker, this legislation essentially begins the process of reviewing the inadequacies of FCC implementation of the local competition provisions of the Telecommunications Act of 1996. Specifically, our bill amends provisions contained in section 271 of the Act, dealing with interLATA (long distance) entry by the Bell Companies.

It is frustrating that nearly three years have passed since the Telecom Act of 1996 was enacted into law. Five applications for long distance service have been received by the FCC, and four have been denied. The fifth, an application approved by the Louisiana Public Service Commission by a vote of 4–1, is now pending at the FCC. Frankly, I am not encouraged that it will be granted when the FCC makes its decision on October 13 of this year.

The Telecommunications Act of 1996 was intended to open up competition in both the local and long-distance markets; but, the FCC appears determined to preserve the long-distance service monopoly that traditional interexchange companies have enjoyed since the conception of the telephone. Today, only business subscribers are realizing more choices from competitors to incumbent LECs.

This legislation will attempt to codify what the intent of the conferees was during their deliberations on the 1996 Act. That is, the states should have explicit authority over determining intrastate interLATA service in their respective states. In addition, the legislation we are introducing today would modify other provisions of the law as noted in the attached talking points.

I look forward to working with all of our colleagues early in the 10th Congress to loudly send a message to the FCC, the Department of Justice, and the administration that the ''status quo'' is no longer acceptable. Only true, open competition in all markets will be acceptable now, not later.

HIGHLIGHTS OF INTERLATA COMMUNICATIONS IMPROVEMENTS ACT OF 1998

State Jurisdiction Over Intrastate InterLATA Services. The legislation authorizes the state public service commission to grant BOC applications to provide intrastate InterLATA telecommunications services upon satisfaction of Track A/B, the competitive checklist and public interest requirements. If the State fails to act on an intrastate InterLATA application within the 90-

day decision period, the application is deemed granted.

Resale Authority. On February 8, 1999, BOCs would be authorized to resell the InterLATA services of unaffiliated companies.

Amendments to Track A/Track B. The Track A/Track B requirement would be eliminated effective February 8, 1999. In addition, the legislation removes the requirement that a Track A company provide telephone exchange service exclusively or predominantly over its own facilities. It also provides that Track B is satisfied if the BOC's statement of generally available terms and conditions (''SGAT'') has been approved by the state public service commission or if the state public service commission has permitted such SGAT to take effect.

FCC Consultation with State PSC. The legislation directs the FCC to affirm the evaluation of the state public service commission concerning BOC compliance with Track A/Track B and the competitive checklist unless the FCC determines by clear and convincing evidence that the state evaluation is clearly erroneous.

Public Interest Determination. Effective February 8, 1999, the public interest requirement of Section 271 is deemed to be satisfied upon a finding that the BOC has satisfied the competitive checklist.

Incidental InterLATA Services. The legislation would expand the definition of ''incidental InterLATA services'' to include data communications and international telecommunications and information services.

Section 271 Approvals and Denials. Decisions approving or denying Section 271 applications must include a written determination of whether the BOC has complied with the statutory standard for InterLATA relief.

THE MEDICARE MEDICAL NUTRITION THERAPY ACT

HON. JOHN E. ENSIGN

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 10, 1998

Mr. ENSIGN. Mr. Speaker, it is rare for any legislation in the House of Representatives to obtain the support of a majority of its Members. In fact, fewer than 1 percent of all bills introduced in the 105th Congress have reached this status. I would like to announce with pride that a bill I sponsored, H.R. 1375, the Medical Nutrition Therapy Act, has achieved this remarkable level of support.

Over 220 of our colleagues support this measure because they recognize that the absence of coverage for nutrition therapy services is a glaring omission in current Medicare policy. Medical science makes clear that properly nourished patients are better able to resist disease and recover from illnesses than those who are malnourished. We also know that elderly Americans are at a higher risk of malnutrition than others in society due to the naturally occurring aging process.

Despite this knowledge, Medicare does not cover nutrition assessment and counseling services by registered dietitians—what is commonly known in the health care field as medical nutrition therapy (MNT). As a result, the elderly either pay for this service out of their own pockets, or go without. This is not a choice that those on fixed incomes should have to make. Medical nutrition therapy is medically necessary care and ought to be a covered benefit.

I am convinced that this bill is an important part of the solution to saving Medicare. It will help us cut costs without sacrificing the quality of patient care. Emperical evidence shows that MNT is effective for patients with diabetes, heart disease, cancer, and other costly diseases that are prominent among the elderly. It lowers treatment costs by reducing and shortening the length of hospital stays, preventing health care complications and decreasing the need for medications. Yet still, we do not provide senior coverage for this care.

It should be noted that support for medical nutrition therapy is not confined to Congress. Major patient advocacy groups including the American Cancer Society, the American Heart Association, the National Kidney Foundation, the American Diabetes Association, and the National Osteoporosis Foundation also support coverage for MNT. These groups understand that appropriate nutrition therapy saves money and lives.

Any measure that achieves such an impressive level of political support is deserving of serious deliberation in this body. While I regret that this bill will not be taken up in the remaining days of this Congress, I urge the leadership of both parties to make this bill a top priority next year. While the Balanced Budget Act helped strengthen the Medicare program in the short term, additional reforms will be necessary to prepare the program for the coming retirement of the Baby Boom generation. Congress will be remiss if it overlooks medical nutrition therapy as part of those long-term reforms.

In closing, I want to thank the American Diabetic Association and the Nevada Diabetic Association for their fine work in helping me educate Members of Congress about this important measure. The dedicated health and nutrition professionals represented by those groups can be proud of how far this bill had advanced in the 105th Congress and confident that we will ultimately succeed in these efforts.

TRIBUTE TO NATIONAL PARK SUPERINTENDENT EDWARD WOOD

HON. ROBERT A. UNDERWOOD

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 10, 1998

Mr. UNDERWOOD. Mr. Speaker, today I would like to extend sincere thanks to the outgoing Superintendent of the War in the Pacific National Park on Guam, Edward W. Wood, Jr., for his dedicated service. A 25-year veteran of the National Park Service, Mr. Wood has served with distinction, especially during his tenure as Superintendent of the War in the Pacific National Park and the American Memorial Park for the past seven years of his career.

As many of my colleagues know, the War in the Pacific National Park commemorates the bravery and sacrifice of those veterans who participated in the campaigns of the Pacific theater during World War II and preserves the natural, scenic, and historic values of our beautiful island. This park commemorates something especially close to all our hearts, the sacrifice of the American soldiers to liberate our islands and the loyalty that the people of Guam demonstrated during this critical time in our island's history. In this sense, Mr. Wood's commitment to ensuring that the park met its mission is deeply appreciated by all of us.

As my colleagues may remember, one of the initial pieces of legislation I introduced when I first arrived to this institution, in the 103d Congress, was a bill to enhance the War in the Pacific National Park by appropriating funds and authorizing approval for an overlook at Asan Bay and a Memorial Wall of Names, to honor all those who suffered during the time of enemy occupation. This effort would not have turned successful without the support and collaboration of Mr. Wood.

It is fitting, that we on Guam pay tribute to his service and accomplishments during his time as Superintendent of the only national park on our island. He has contributed significantly to the development of both the War in the Pacific National Historic Park and the American Memorial Park on the island of Saipan. Most recently, in 1997, he shared the National Park Foundation's National Partnership Leadership Award with the Government of the Commonwealth of the Northern Mariana Islands for their combined efforts to develop American Memorial Park, which specifically honors the Americans and Marines who gave their lives during the Marianas campaign of World War II, arguably the most significant battle of the Pacific operation.

In addition, Mr. Wood has also been recognized and has received several Special Achievement Awards for his work in diversity recruitment, operational excellence, community involvement, and assistance to other government agencies.

Mr. Wood, Si Yu'os Ma'ase for your dedication to the people of Guam and to the War in the Pacific National Park. Good luck in your future endeavors. Your service brings honor to the National Park Service.

HONORING FATHER MATEO SHEEDY

HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 10, 1998

Ms. LOFGREN. Mr. Speaker, I rise to honor a true humanitarian and an outstanding member of my hometown community of San Jose, California.

Father Mateo Sheedy has selflessly served our community, providing assistance to those most in need of a helping hand. Particularly, Father Sheedy has championed the cause of recent immigrants. He has worked tirelessly to ensure that farm workers—those who feed America—are treated with dignity and respect. In concert with churches and the United Farm Workers he has succeeded in ensuring that farm laborers' working conditions are safe, and that their wages fair. His work with ESL classes and citizenship courses have helped countless immigrants attain United States citizenship.

Father Sheedy has been embraced by the local Mexican-American community and has been instrumental in solving some of the problems plaguing our neighborhoods. His inclusive style has brought together rival gangs—allowing families to live in safe, nurturing neighborhoods. His innovative gun return program has been very successful.

At Sacred Heart Church where he serves as pastor, Father Sheedy has committed himself to improving the quality of life for every member of our community. He has worked with our youth—encouraging them to stay out of gangs and in school. Along with local universities, Father Sheedy has created a tutorial center and has spearheaded efforts to gain college scholarships for kids.

Father Sheedy has also been a beacon of hope and faith—attending to the very sick and providing solace to their families. Now Father Sheedy is himself very ill, and our thoughts and prayers are with him.

On October 22, 1998, Father Mateo Sheedy will be honored with the Heart of Jesus Award, recognizing his vast sacrifices for our community. I ask my colleagues to join me in congratulating Father Sheedy for receiving such a special award. He is to be commended for his noble efforts.

PERSONAL EXPLANATION

HON. XAVIER BECERRA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 10, 1998

Mr. BECERRA. Mr. Speaker, on October 5, 1998, I was on official business during rollcall votes Nos. 480, 481, and 482. Had I been present for the votes, I would have voted ''no'' on No. 480, ''yes'' on 481, and ''yes'' on 482.

GRANTING CONSENT OF CONGRESS TO POTOMAC HIGHLANDS AIRPORT AUTHORITY COMPACT ACT

SPEECH OF

HON. ROSCOE G. BARTLETT

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 8, 1998

Mr. BARTLETT of Maryland. Mr. Speaker, S. J. Res. 51 would provide Congress' consent to a compact between the States of West Virginia and Maryland establishing the Potomac Highlands Airport Authority. This legislation has been passed by the Senate and has the support of the Senators from both States and the Members of Congress from the districts concerned.

This bill is of great importance to my constituents as well as to me personally. As you may know, in 1944 the city of Cumberland, located in Allegany County, Maryland, purchased land 3 miles south of the city in Wiley Ford, West Virginia for the construction of an airport. In 1976 the States of Maryland and West Virginia entered into a compact establishing the Potomac Highlands Airport Authority.

The need for the compact stems from the unusual nature of the airport. It is located in one State, but owned by a municipality in another. Accordingly there has been a certain degree of uncertainty about the ability of the airport authority to guarantee to pay for loans they may receive. This was discovered as the Authority was in the process of undertaking a 20-year $10 million expansion program and had applied for a loan from the Department of Agriculture. In its denial of the loan, the Department replied that it could not provide the loan unless Congress were to provide its consent to the bi-state compact between West Virginia and Maryland.

The loan from the USDA represented an important part of this expansion program. While congressional approval of the compact will obviously facilitate the improvement of the airport specifically, it will also have a positive impact on the economic development of region as a whole.

As you may know, the Greater Cumberland Regional Airport, is located in rural Appalachia. According to the Department of Labor's Bureau of Labor Statistics, Allegany County, Maryland has an unemployment rate of 8.5 percent, almost 90 percent higher than the national average. This number does not even consider the great number of people who have become so discouraged that they have stopped seeking employment. The simple reason for this high unemployment rate is that the area has suffered from the closing of a number of employers and has been unable to attract employers sufficient to replace the lost jobs.

The critical task in the coming years will be for local and State leaders to attract new employers to the area. In working with businesses that are considering moving to area, one of the critical deciding factors for their relocation is access to first rate infrastructure. Businesses considering moving to the region will need to know commercial aviation users. The Potomac Highland Airport Authority has a 20-year plan that will allow it to expand to accommodate the increased utilization of the facility. The House's approval of this bill is an important step in providing the Potomac Highlands Airport Authority with the tools necessary to be an active participant in the region's expansion.

PERSONAL EXPLANATION

HON. DEBORAH PRYCE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 10, 1998

Ms. PRYCE of Ohio. Mr. Speaker, during the week of October 5, 1998, I was absent due to an illness in my family. I received an official leave of absence from the Majority Leader in this regard.

However, had I been present, I would have voted in the following manner on the following legislation:

Monday, October 5, 1998

H.R. 4614—New Hampshire Land Conveyance Act: Motion to Suspend the Rules and Pass the bill (Roll Call No. 480): Aye.

H.R. 1154—The Indian Federal Recognition Administrative Procedure Act of 1997: Motion to Suspend the Rules and Pass the bill (Roll Call No. 481): Nay.

H.R. 4655—Establishing a Program to support a Transition to Democracy in Iraq: Motion to Suspend the Rules and Pass the bill (Roll Call No. 482): Aye.

Tuesday, October 6, 1998

H.R. 4194—VA–HUD Appropriations Act for FY 1999: On Agreeing to the Conference Report (Roll Call No. 483): Aye.

H. Res. 575—Waiving a requirement of clause 4(b) of rule XI with respect to consideration of certain resolutions reported from the Committee on Rules: On Agreeing to the Resolution (Roll Call No. 484): Aye.

H.R. 4259—The Haskell Indian Nations University and Southwestern Indian Polytechnic Systems Act of 1998: On Agreeing to the Cummings of Maryland Substitute Amendment (Roll Call No. 485): Nay.

Wednesday, October 7, 1998

H.R. 3694—Intelligence Authorization Act for FY 1999: Motion to Recommit (Roll Call No. 486): Nay; On Agreeing to the Conference Report (Roll Call No. 487): Aye.

H. Res. 573—Providing for the consideration of H.R. 4570, the Omnibus National Parks and Public Lands Act: On Passage (Roll Call No. 488): Aye.

H.R. 4570—Omnibus Parks and Public Lands Act: On Passage (Roll Call No. 489): Nay.

H. Res. 579—Waiving all points of order against the Conference Report on H.R. 4104, the Treasury, Postal Services, and Independent Agencies Appropriations for FY 1999: On Agreeing to the Resolution (Roll Call No. 490): Aye.

H.R. 4616—Designating the Corporal Harold Gomez Post Office: On the Motion to Suspend the Rules and Pass the bill (Roll Call No. 491): Aye.

H.R. 2348—Designating the Mervyn Dymally Post Office Building: On the Motion to Suspend the Rules and Pass the bill (Roll Call No. 492): Aye; On the Motion to Recommit with Instructions (Roll Call No. 493): Nay.

H.R. 4104—The Treasury, Postal Services, and Independent Agencies Appropriations for FY 1999: On Agreeing the Conference Report (Roll Call No. 494): Aye.

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House Journal of October 8, 1998: On Approving the House Journal (Roll Call No. 495): Aye.

Quorum: On the Call of the House (Roll Call No. 496): Present.

H. Res. 581—Authorizing and directing the Committee on the Judiciary to investigate whether sufficient grounds exist for the impeachment of William Jefferson Clinton, President of the United States: On the Motion to Recommit with Instructions (Roll Call No. 497): Nay; On Agreeing to the Resolution (Roll Call No. 498): Aye.

Adjourn: Motion to Adjourn (Roll Call No. 499): Nay.

H.Res. 584—Further providing for the consideration of H.R. 4274: On Ordering the Previous Question (Roll Call No. 500) Aye; To Table the Motion to Reconsider (Roll Call No. 501) Aye; On Agreeing to the Resolution (Roll Call No. 502) Aye; To Table the Motion to Reconsider (Roll Call No. 503) Aye.

H.R. 4274—The Labor, Health and Human Services Appropriations for FY 1999: On Agreeing to the Istook Substitute Amendment to the Greenwood Amendment (Roll Call No. 504): Nay.

H.R. 3150—Bankruptcy Reform Act: On the Motion to Recommit the Conference Report with Instructions (Roll Call No. 505): Nay; On Agreeing to the Conference Report (Roll Call No. 506) Aye.

H.Res. 565—Expressing the Sense of the House of Representatives Regarding the Importance of Mammograms and biopsies in the Fight Against Breast Cancer: On the Motion to

Suspend the Rules and Agree (Roll Call No. 507): Aye.

H.Con.Res. 331—Expressing the Sense of Congress Concerning the Inadequacy of Sewage Infrastructure Facilities in Tijuana, Mexico: On the Motion to Suspend the Rules and Agree (Roll Call No. 508): Aye.

H.Res. 557—Expressing Support for the U.S. Government Efforts to Identify Holocaust-Era Assets: On the Motion to Suspend the Rules and Agree (Roll Call No. 509): Aye.

H.R. 3874—Child Nutrition and WIC Reauthorization Amendments of 1998: On the Motion to Suspend the Rules and Agree to the Conference Report (Roll Call No. 510): Aye.

H.J.Res. 133—Further Continuing Appropriations for Fiscal year 1999: On Passage (Roll Call No. 511): Aye.

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Question of Privilege—noticed by Mr. Visclosky on Oct. 8, 1998: On motion to table the appeal of the ruling of the Chair (Roll Call No. 512) Aye.

H.Res. 589—Waiving Clause 4(b) of rule XI for special rules and suspensions On ordering the Previous Question—(Roll Call No. 513) Aye.

H.Res. 588—Rule governing consideration of H.R. 4761 On agreeing to the resolution—(Roll Call No. 514) Aye.

H.Res. 592—Providing for concurrence by House with amendment in the Senate amendment to H.R. 4110. On suspending the rules and agreeing to the resolution—(Roll Call No. 515) Aye.

SENSE OF THE HOUSE REGARDING IMPORTANCE OF MAMMOGRAPHY AND BIOPSIES IN FIGHTING BREAST CANCER

SPEECH OF

HON. MICHAEL BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 8, 1998

Mr. BILIRAKIS. Mr. Speaker, today the House of Representatives approved H. Res. 565, a resolution emphasizing the importance of mammograms and biopsies in the fight against breast cancer. Since October is ''National Breast Cancer Awareness Month,'' it is particularly appropriate that the House passed this resolution before adjournment.

Last month, I was proud to work with Chairman BLILEY to secure approval by the House of Representatives of H.R. 4382, legislation to reauthorize the Mammography Quality Standards Act. This important law was enacted in 1992 to improve the quality of breast cancer screening exams by establishing national standards for mammography facilities. Without question, it has been an overwhelming success.

Screening mammography is currently the most effective technique for early detection of breast cancer. This procedure can identify small tumors and breast abnormalities up to two years before they can be detected by touch. More than 90 percent of these early stage cancers can be cured, according to the Food and Drug Administration.

The use of screening mammography provides a ray of hope in the fight against breast cancer. Early detection of breast cancer through accurate and reliable mammograms can spare women from undergoing radical surgery—and often save their lives. Enactment of H.R. 4382 will help reduce the threat of breast cancer by providing women the tools they need to detect this terrible disease in its early stages.

As chairman of the Health and Environment Subcommittee, however, I believe the federal government can and should do more to support cancer research. Specifically, I support an increased financial commitment to fund the biomedical research necessary to find a cure for breast cancer.

To that end, I have endorsed a proposal to double Federal funding for the National Institutes of Health over the next five years. I have also authored legislation to allow taxpayers to designate a portion of any income tax refund to support NIH research efforts.

For the hundreds of thousands of patients, families, caregivers and friends whose lives have been touched by breast cancer, we must renew and strengthen our commitment to ending this terrible disease. H. Res. 565 places appropriate emphasis on the importance of mammograms and biopsies in the fight against breast cancer, and I urge Members to support this resolution.

EXPRESSING CONCERNS REGARDING INDONESIA'S PRISONERS OF CONSCIENCE IN WEST PAPUA NEW GUINEA (IRIAN JAYA)

HON. ENI F.H. FALEOMAVAEGA

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 10, 1998

Mr. FALEOMAVAEGA. Mr. Speaker, I have come before our colleagues and the Nation several times regarding Indonesia's brutal suppression of the Melanesian people of West Papua New Guinea, or Irian Jaya province, as the Indonesian Government has renamed West Papua.

Last month, I welcomed the announcement of a significant development in the Indonesian Government's position on West Papua. According to press reports from Jakarta, Indonesia's President B.J. Habibie agreed to call for a national dialog on West Papua as soon as possible.

The proposed dialogue, supported by Indonesian Parliamentary leader Abdul Gafur and the Indonesian Council of Protestant Churches, was to address a three-part agenda covering: (1) human rights, (2) autonomy matters, and (3) issues of independence.

Although President Habibie's pronouncement was very welcome news, I am disturbed by recent developments in West Papua that have called into question his sincerity in pushing for true reform.

Within the past week, the Indonesian authorities have shown a shocking disregard for political openess in West Papua by arbitrarily incarcerating several leaders and local officials in West Papua.

On October 1, Amnesty International issued an action alert regarding the arrest of Don Falsy, a respected civil servant with the Regional Development Planning Body in Jayapura.

According to Amnesty International, it is ''concerned for the safety of Don Falsy who has been in detention since 29 September 1998 and who has been denied access to his lawyers, raising fears that he is at risk of ill-treatment.''

Amnesty International states that ''Don Falsy was arrested without a warrant at his home in Jayapura, the capital of the province of Irian Jaya, by local police and taken . . . he continues to be detained.''

Noting that Don Falsy's arrest is in connection with his alleged role in planning a meeting in Jayapura to discuss the independence of West Papua, Amnesty International states that ''Don Falsy is a possible prisoner of conscience who appears to have been detained for the peaceful exercise of his beliefs.''

Mr. Speaker, the arrest of Don Falsy for his political beliefs is not an isolated case. Also taken into custody last week for the association with Don Falsy were church leader, Reverend Augustinus Ansanai, and two local officials, Baas Yufuwai and Marinus Mehuwe. And just yesterday, another prominent Papuan leader, Theys H. Eluay, was arrested by the Indonesian police on questionable charges of subversion.

Mr. Speaker, I urge our colleagues to join Amnesty International in calling upon the Indonesian Government to allow Don Falsy and other jailed Papuan leaders immediate, regular and on-going access to their lawyers. Furthermore, we request that the Indonesian authorities ensure that these prisoners of conscience are protected from ill-treatment, and that they be promptly released from custody if they are being held solely for the peaceful expression of their belief in support of West Papuan independence.

Mr. Speaker, while the Government of Indonesia has committed itself to the Universal Declaration of Human Rights—including Article 19 which holds that ''Everyone has the right to freedom of opinion and expression . . .''—the recent arrests in West Papua are a flagrant violation of this solemn commitment for which Jakarta should be condemned and held accountable.

COMBAT TROOPS PULL OUT OF IRIAN JAYA

JAKARTA, Indonesia (October 4, 1998—British Broadcasting Corporation)—The Indonesian armed forces are reported to have ended their special operations in the province of Irian Jaya. The move comes amid mounting evidence of past army atrocities. Irian Jaya is the third region in the Indonesian archipelago where the military has scaled down its activities following President Suharto's resignation.

Pro-independence rebels have engaged in a low-level conflict with the military in Irian Jaya since the mid 1960s. The decision by the armed forces to end the special status of Irian Jaya follows a cease fire agreement with one of the rebel groups. Antara, the state-run news agency, quoted a regional commander as saying combat troops would withdraw but other soldiers would remain to guarantee security.

Major-General Amir Sembiring said a cease fire had been agreed to between the military and the separatist Free Papua Movement (OPM) rebels. ''The military operation status has been revoked and our activities will be shifted to safeguard vulnerable areas,'' he added. But he also said he had ordered the immediate arrest of protesters who had raised separatist flags in the northern town of Manokwari on Friday.

ALLEGATIONS OF TORTURE AND KILLINGS

The military's withdrawal follows a new policy of reducing activity in troubled areas

in order to avoid the human rights violations which harmed Indonesia's international image under Mr. Suharto. Combat operations against the pro-independence movement in East Timor stopped in June. That coincided with an offer of autonomy from President B.J. Habibie which has given new hope for an end to the conflict there.

In August, the armed forces also pulled troops out of the province of Aceh after revelations of widespread abuses against the local population. Human rights groups hope the move in Irian Jaya will end similar abuses there. Many allegations of torture and extra-judicial killings have been made against the soldiers who went into a remote area of the province in 1996 after separatist rebels took a number of Indonesians and Europeans hostage.

SOME IRIANS CALLING FOR INDEPENDENCE

Irian Jaya, home to one of the world's biggest gold and copper mines, the Freeport, is a former Dutch East Indies territory of 1.5 million people. It forms the western half of the huge island of new Guinea, with independent Papua New Guinea occupying the eastern half.

Our correspondent Jonathan Head says just as the Indonesian authorities are adopting a softer approach towards dissent, they are facing more open hostility in Irian Jaya. The political changes in Jakarta have prompted many Irians to campaign for an independent state despite warnings from the military that this is unacceptable.

Those soldiers who remain in the province have the difficult task of trying to contain the growing opposition to Indonesian rule without resorting to the heavy-handed tactics of the past.

SENSE OF THE HOUSE REGARDING IMPORTANCE OF MAMMOGRAPHY AND BIOPSIES IN FIGHTING BREAST CANCER

SPEECH OF

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 8, 1998

Ms. PELOSI. Mr. Speaker, I rise today to recognize October as Breast Cancer Awareness Month. The statistics on breast cancer present an alarming picture. In 1998, in the state of California alone, there were 17,600 new cases of breast cancer among women and 4,300 deaths from breast cancer. Nationwide, approximately 180,000 new cases of breast cancer will be diagnosed this year and more then 43,000 women will die from the disease. One out of nine women in the U.S. will develop breast cancer in her lifetime. This risk has increased from one out of 14 in 1960.

While the statistics are staggering, we can be encouraged by the progress in the areas of research, technology and early detection which have increased survival rates to about two million breast cancer survivors in America today. With over 43,000 women dying from breast cancer each year, early diagnosis and patient education are critical in the battle against this deadly disease.

Mammogram testing can reveal breast cancer at its earliest stage—up to two years before it is obvious in a breast exam. Recently, both the House and Senate passed a measure to reauthorize the Mammography Quality Standards Act to ensure that national quality control standards are met for mammography. Women can rest assured that under the Mammography Quality Standards Act, national quality control standards are enforced by regular inspection and that every facility performing mammographies will be held to the standards for safety, well trained technicians and accurate readings.

More than one million breast biopsies are performed each year in the U.S. and approximately 80% of these biopsies are proven benign. A recent non-surgical biopsy procedure called the mammotome allows women to choose a less invasive alternative to surgical biopsies with minimal scarring and no general anesthesia. This ground breaking procedure will provide women with an alternative to surgery and should ultimately result in better care and treatment for women.

While early detection is saving lives, we must not become complacent about local cancer rates and the potential link between environmental factors and breast cancer and other cancers. In a recent review, the Center for Disease Control (CDC) has concluded that the incidence of invasive breast cancer in San Francisco has been determined to be comparable to other areas in the nation. However, I believe it is essential that the CDC continue to monitor local cancer rates and further national research on the link between cancer and the environment, particularly in light of questions about an increased incidence of breast cancer in the Bayview Hunters Point area.

As a Member of the House Appropriations Committee on Labor-Health and Human Services-Education, I have requested that the National Academy of Sciences study the status of scientific knowledge of the environmental causes of breast cancer and identify research needs and establish research priorities in this area.

In addition, I am joined by several of my colleagues, to request that the General Accounting Office conduct a comprehensive review of federal environmental health research activities.

Mr. Speaker, during Breast Cancer Awareness Month, let us renew our commitment to fighting breast cancer by increasing funding levels for research and for breast and cervical screening programs. We must also continue to educate and inform women about regular self-examination, physician examination, and to ensure access to low-cost, effective mammograms.

If we continue our national commitment to research and prevention efforts in the fight against breast cancer, the discovery of causes and cures for a disease that has no apparent cause or cure may soon become a long awaited reality.

HONORING THE CENTENNIAL CELEBRATION OF THE EAST ROCHESTER VOLUNTEER FIRE DEPARTMENT IN EAST ROCHESTER, NEW YORK

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 10, 1998

Ms. SLAUGHTER. Mr. Speaker, today I rise to pay special tribute to the East Rochester Volunteer Fire Department in East Rochester, New York. The fire department celebrated its 100th year of service on May 23, 1998.

The East Rochester Volunteer Fire Department was organized in 1898, after a serious barn fire in the village of Despatch brought attention to the need for a fire brigade. A meeting was held at Despatch Hall and the Despatch Fire District was formed, consisting mostly of local businessmen.

Shortly after a second fire, the village of Despatch voted to allocate funds to cover the purchase of land, equipment, and the construction of a public hall, that was later turned over to the fire department. Later the village of Despatch was renamed the village of East Rochester.

With a proud history of voluntarism, the Fire Department has thrived and grown over the years. Using donations and moneys received from the village, the fire department has been able to update its equipment, and utilize new methods in fire prevention and control. However, the cornerstone of the department's success has been the dependability and generosity of its volunteers.

I take great pride in knowing that a volunteer fire department of East Rochester's high caliber protects families and businesses in my district. I send my sincere and heartfelt thanks to the East Rochester Volunteer Fire Department for all its contributions throughout the past century.

Today, I ask that my colleagues pause with me to honor the legacy of one of America's greatest volunteer organizations: the East Rochester Volunteer Fire Department of East Rochester, New York.

A TRIBUTE TO ARTHUR AND ISABEL WATRES

HON. JOSEPH M. McDADE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 10, 1998

Mr. McDADE. Mr. Speaker, I rise today to pay tribute to the many contributions of Arthur Watres and his mother, Mrs. Reyburn (Isabel) Watres, to Lacawac in Wayne County, Pennsylvania.

Thanks to the Watreses, Lacawac has a brilliant future, but Lacawac also has a rich history. The property which makes up Lacawac was a grant of land from the British crown to the family of William Penn which was acquired by James Wilson, a signer of the Declaration of Independence. In 1849, a large portion of this land was acquired by Burton G. Morss, who built a sawmill and tannery on the Wallenpaupack River at Ledgedale—then a sizable frontier town.

The tannery burned in 1895, and Morss closed his business. At the turn of the century, William Connell bought the property in order to build a summer estate. Connell began his career driving a coal wagon. He worked hard, saved and bought the company following the Civil War. He later served in the U.S. House of Representatives and unsuccessfully sought the Republican nomination for Governor of Pennsylvania in 1902.

When William Connell died in 1909, none of his eleven children wanted to maintain the estate. They all lived in Scranton, and Lacawac was a long train ride to a rough and dusty coach ride away.

Lacawac was then touched by another remarkable man, Colonel Louis A. Watres, a major figure in Scranton for 50 years, who went to work after completing the fourth grade. He continued to educate himself throughout his life. He clerked for Judge John Handley, read for the bar and established himself in practice. He also pursued a successful political career as County Solicitor, State Senator, Lieutenant Governor of Pennsylvania, and two-time Republican nominee for Governor. He quickly rose through the ranks of the Pennsylvania National Guard to become colonel of the 11th Regiment during the Spanish American War. Colonel Watres organized the Spring Brook Water Company which became part of the Pennsylvania Gas and Water Company. It was a Wallenpaupack dam project that made it necessary to acquire the Connell property.

Colonel Watres' two grandchildren visited Lacawac for an occasional picnic or weekend over the years. The awesome natural beauty of Lacawac appealed to Arthur Watres, and he moved there with his recently-widowed mother, Mrs. Reyburn Watres, in 1948.

The entrance road was almost impassable. The dock had collapsed into the lake. The roof of every building leaked. The screening was gone. The staining of the shingles and painting of trim had been neglected for two decades. Porches and sills were riddled with termites and timber ants.

The Watreses joined the Nature Conservancy. At the suggestion of Dr. Richard Pough, that organization's first president, they arranged for scientists from the Philadelphia Academy of Natural Sciences to visit Lacawac. At that time, Lacawac was found to be the southernmost unpolluted glacial lake in the United States and an ideal baseline lake for research.

The Watreses formed the Lacawac Sanctuary Foundation in 1966, and turned over the lake, most of the infrastructure and much of the land to the Foundation. After many difficult years, the board was reorganized in 1990 and the relationship with the Lehigh University Earth and Environmental Sciences Department was formalized.

Lacawac lies within 100 miles of 140 institutions of higher learning, and the Lacawac Sanctuary Foundation is committed to drawing to this beautiful, natural laboratory a strong and significant scientific community to work for the benefit of mankind.

Mr. Speaker, we are all richer for the natural beauty around us. Thanks to the foresight of the Watreses, the magnificence of Lacawac continues both to inspire the love of our region's natural beauty and to encourage responsible scientific and personal stewardship of the land.

HONORING NANCY J. SCHILLING

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 10, 1998

Mr. COSTELLO. Mr. Speaker, I rise today to ask my colleagues to join me in honoring Nancy J. Schilling, a dedicated civil servant in Evansville, Illinois, in my Congressional district.

Nancy serves as the city clerk for the village of Evansville and as the Randolph County Civil Defense Director. While her husband, Danny and two children, Roxie and Ryan have always known what a great wife and mother they have, Evansville has been equally blessed in benefiting from Nancy's dedication to her community.

During the flood of 1993, the citizens of Evansville realized just how fortunate they were to have Nancy Schilling as the city clerk. At a time when Evansville was under great strain facing the damage from the flood, she became the organizing force in rebuilding the community. Nancy coordinated efforts with the National Guard, Army Guard, and Coast Guard to assist in a rapid response flood relief plan. She was also instrumental in securing state and federal grant money to provide critical additional support for southern Illinois.

What is most notable about Nancy Schilling is her willingness to meet any challenge presented to her with a friendly smile and determined spirit. Evansville recently recognized her as their Citizen of the Year. I commend Nancy for this well-deserved tribute, honoring her integrity, compassion, and outstanding commitment to Evansville.

Mr. Speaker, I ask my colleagues to join me in recognizing Nancy Schilling for the fine example she has set for us all.

IN HONOR OF JULIE MOSES

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 10, 1998

Mr. KUCINICH. Mr. Speaker, I rise today to extend my thanks to Julie Moses, an American Association for the Advancement of Science legislative fellow who has worked diligently in my office for the past year. I am grateful for her outstanding efforts on my behalf.

Her invaluable contribution in staffing hearings, writing letters, undertaking legislative research and her particular expertise in space and technology related issues proved that my confidence in her was well placed. I echo the sentiments of my entire staff in expressing that she proved more than capable in the face of this challenging work. The professionalism, determination, and drive that she demonstrated in her time with us is much appreciated.

I hope that she learned as much in working with us as we learned from the experience of working with her. I wish to thank her again for being an important part of our collective success. I wish her luck in all her future endeavors.

LITTLE ROCK NINE MEDALS AND COINS ACT

SPEECH OF

HON. HAROLD E. FORD, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, October 9, 1998

Mr. FORD. Mr. Speaker, I rise today in support of H.R. 2560, a bill to award the Congressional Medal of Honor to Jean Brown Trickey, Carlotta Walls Lanier, Melba Patillo Beals, Terrence Roberts, Gloria Ray Karlmark, Thelma Mothershed Wair, Ernest Green, Elizabeth Eckford, and Jefferson Thomas—better known to the nation as the Little Rock Nine.

When I read, hear, and think about the personal sacrifices that these young men and women were forced to make in the struggle to give real meaning to our nation's founding principles of freedom, opportunity, liberty, equality, and justice for all, I am humbled and forever thankful.

With a display of honor, dignity, and integrity well beyond their years, each one of these pioneers for progress endured and overcame unthinkable emotional, verbal, and physical abuse as they fought to breakdown an entire nation's legacy of prejudice and racial hatred at the schoolhouse door.

Mr. Speaker, as we seek to begin paying America's debt of gratitude to these heros and heroines—known as the Little Rock Nine—by awarding them the Congressional Medal of Honor, let us not forget that we stand on the brink of a new millennium with the chance to learn from the lessons and legacies of our past and contemplate the challenges and choices that lie ahead.

As we recognize the contributions of the Little Rock Nine and consider how their lives have made the future brighter for today's young people, I am reminded of the words of Dr. Martin Luther King, that: ''we are all caught in an inescapable network of mutuality, tied in a single garment of destiny. What affects one directly affects all indirectly.'' Mr. Speaker, bearing in mind this undeniable principle, I believe if America is to fulfill the legacy of the Little Rock Nine and move from what has been in the 20th century to what can be in the new millennium, then—as a nation—we must strive to acknowledge, embrace, and realize our diversity to its fullest.

OMNIBUS NATIONAL PARKS AND PUBLIC LANDS ACT OF 1998

SPEECH OF

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, October 9, 1998

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 4570) to provide for certain boundary adjustments and conveyances involving public lands, to establish and improve the management of certain heritage areas, historic areas, National Parks, wild and scenic rivers, and national trails, to protect communities by reducing hazardous fuels levels on public lands, and for other purposes:

Mr. STOKES. Mr. Chairman, I rise in strong opposition to H.R. 4570, the Omnibus National Parks and Public Lands Act of 1998. This compilation of many separate bills contains provisions which waive current environmental protections, provide subsidies and benefits to exclusive special interests, and undermine protections for national parks and public lands.

Due to the many destructive environmental provisions contained in this measure, opposition remains truly bipartisan in nature, with groups ranging from the League of Conservation Voters, to Taxpayers for Common Sense expressing their disapproval.

While many provisions contained in this measure enjoy broad support from the administration and Members alike, this omnibus

measure includes many ''poison pill'' sections which were assured to fail individually. The administration continues to oppose provisions, contained in H.R. 4570, which would endanger our Nation's natural resources. The President has indicated that he will veto the measure in its current form.

I am concerned that the majority has chosen not to provide, sufficient opportunity to remedy and find consensus among Members regarding the deficiencies contained in this bill. In fact, there are seventeen provisions within this measure which have never been heard or taken up before the Committee on Resources. An additional forty-eight have yet to be reported out of committee. However, the bill's sponsors have chosen to combine these provisions without opportunity for and the benefit of debate or amendment. Such heavy handed and partisan tactics espouse the worst qualities of legislating in a politically motivated environment.

I take particular exception to several sections included in this bill. For example, I object to efforts which hinder Presidential authority, as granted under the Antiquities Act, to protect our most significant and valuable natural resources on Federal lands. Also, I am opposed to efforts to accelerate timer harvesting on Federal lands in the name of ''forestry management.''

In addition to circumventing the environmental review process under the National Environmental Policy Act (NEPA), this section does not allow for careful and prudent planning for timber harvesting. Further, it creates additional timber subsidies through a new credit program established for loggers. Such ''poison pill'' sections in this omnibus measure need to be addressed on a singular basis without hindering the passage of other noncontroversial provisions.

Mr. Chairman, while I support many of the provisions contained in this omnibus act, I cannot support them with the many more environmentally adverse sections contained in this bill. Until such adverse provisions are removed from this bill, I will urge my colleagues to vote against H.R. 4570, while continuing to work toward enactment of a bill that is responsive to the needs of our national parks and public lands.

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1999

SPEECH OF

HON. BRUCE F. VENTO

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 8, 1998

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 4274) making appropriations for he Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1999, and for other purposes:

Mr. VENTO. Mr. Chairman, I rise today in strong opposition to the Labor-HHS–Education Appropriations Act for fiscal year 1999. this legislation essentially denies the weakest and most vulnerable of our nation's citizens important programs which provide positive opportunities to succeed in life. It shortchanges the youth of our nation by virtually eliminating the Administration's education agenda, subjects millions of America's most vulnerable families to hardships with the elimination of LIHEAP, dismantles common sense programs that help young people prepare for the world of work; and severely undercuts funding for programs which tackle labor issues such as adequate wages, organizing rights, worker health and safety enforcement.

As a former educator, I am a strong supporter of programs that invest in our nation's children. Education is the most important investment we can make to ensure the welfare of our nation's future. Our public schools face enormous challenges in the next several years, including record high numbers of students, increasing proportions of students with disabilities, billions of dollars in unmet infrastructure needs and the challenge of making education technology available to all students. To often I must report that as public schools struggle critics make their task more difficult rather than offer the resources. This irresponsible appropriation clearly ignores the fact that education has consistently been rated as a top priority of our constituents—it is almost impossible to list all of the negative provisions included, but let me highlight, some of the ''lowlights''. The Republican bill eliminates Title I reading and math assistance for 520,000 disadvantage students; eliminates Perkins college loans and Byrd Scholarships for 120,000 students, cuts $300 million from Goals 2000 and Eisenhower teacher training programs and turns them into block grants; and cuts funding or drug and violence prevention coordinators at 6,500 middle schools. It cuts funding for the School-to-Work program by $250 million, eliminates funding for Star Schools, thereby shutting down innovative programs for using technology and telecommunications equipment in the classroom in low-income school districts. This Republican effort will withdraw funding for the Summer Youth Employment and Training program and will prevent over 530,000 young Americans from gaining work experience and learning the valuable work ethics.

Proponents of this bill gloss over and ignore these drastic cuts in education and will instead applaud the needed and provided increases for Pell Grants, TRIO, Impact Aid and Special education. However, the bill provides only a $537 million, or 1.8% increase in program levels for the department of education—a figure which falls substantially below the 2.2% inflation rate projected for FY 99, so we are going backwards.

But that's not all. This bill doesn't just target the youth of our Nation to accept far less. H.R. 4247 is extreme in its disregard for the protection of our workforce. It provides inadequate funding for federal laws which protect their health and safety, and their right of workers to organize and bargain collectively. In addition, this bill ignores the growing need for highly skilled workers, cutting, nearly in half, the number of people who can participation in employment and training programs. This continued attack upon America's labor force and the extreme underfunding of principal programs which protect workers' wages, pensions, and equal opportunity rights is truly a slap in the face to the working families of America.

Finally, I am disappointed with this measure's elimination of funding for the Low-Income Housing Energy Assistance Program, or LIHEAP. LIHEAP provides heating and cooling assistance to 4.3 million low-income households by way of nurturing an effective funding partnership with all levels of government and the private sector. This is a crucial need in cold weather states such as Minnesota.

You don't have to be a meteorologist, scientist or environmentalist to notice the weather patterns in the past few years. Most Minnesotans are familiar with the extremes in weather-related conditions: dangerous winter temperatures down to 30 degrees below zero combined with even more frigid arctic windchills, producing advisory warnings against stepping outside with exposed skin for more than five minutes. We Minnesotans in turn sympathize with Texans this past summer, where at least 79 people died due to heat-related illnesses during the long, 100-plus degree heatwave. These extremes in temperatures translate into unpredictable energy bills for everyone, but have particularly dire consequences for individuals struggling on a limited income, and disparities of income have persisted and compound this program zero funding policy path.

It is estimated that the average American household spends 6.8 percent of its income on energy bills during the most expensive heating and cooling seasons. A low-income household spends an average of 17.4%, and sometimes up to 30%. That's at least two and a half times the average burden. We're talking about the poor elderly, children, low-income single parents—persons already hit with the struggles of welfare-to-work and cuts in Medicare coverage.

Yet in the wake of tornadoes, floods, hurricanes, and other natural disasters, the Republican leadership has seized upon this opportunity to create a battle between underserved populations. The Labor-HHS-Education bill justifies taking money out of LIHEAP to pay for an increase in our nation's medical research program. While I understand the importance of advancements in medical research, robbing Peter to pay Paul does not alleviate the long-term health, nutrition and safety problems caused by placing low-income individuals in between a rock and a hard place, forcing them to decide whether to heat or eat. Energy assistance is one of the simplest and most effective ways of preventing individuals from having to make that choice. Should we really expect the poorest of the poor, the working poor to be the qualitative cut that will help us fight the great ills that have faced mankind through the ages.

I urge my colleagues to express their commitment to a more preventive approach to meeting the needs of underserved populations. Vote no on the current Labor-HHS-Education appropriations package.

SONNY BONO COPYRIGHT TERM EXTENSION ACT

SPEECH OF

HON. JOE SCARBOROUGH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 7, 1998

Mr. SCARBOROUGH. Mr. Speaker, I rise in support of Title I of S. 505, the Copyright

Term Extension Act, but rise in opposition to title II of the bill, relating to fairness in music licensing. Title II amounts to bad legislative decision-making for at least three reasons: (1) it is a shortsighted policy; (2) it is potentially an unconstitutional taking; and (3) it violates our multilateral treaty obligations which is likely to result in trade sanctions of property of songwriters.

First, by exempting most commercial establishments from paying copyright licensing fees for the public performance of music, the proposal will radically reduce the royalties that performing rights organizations (BMI, ASCAP and SESAC) will collect on behalf of songwriters. Admittedly, proponents of eroded protection—those that want a free ride off the backs of creators—are numerous and organized. But, this is no reason to enact legislation that will extinguish the flame of creativity and will chill the progress of science and the useful arts.

Second, the right to own private property free from arbitrary government interference is a basic tenet of American life. In fact, the right to own property is as ancient as humankind itself, with the enforcement of property rights being a part of legal systems worldwide. Under our constitutional scheme of government, property cannot be ''taken'' by government action without just compensation. Although debate swirls around the definition of the term ''taking'', common sense dictates that the term refers to any acts that diminish or deprive any legally protected right to use, possess, exclude others, or dispose of one's property, real or intellectual. Title II of the bill ''takes'' the property of songwriters and ''gives'' it to commercial establishments to use without compensation. In my opinion, it is taking without due process of law and just compensation and is therefore unconstitutional.

Third, the Secretary of Commerce has already advised Congress that fairness in music licensing reform legislation violates our international treaty obligations. His words have been seconded by a drumbeat of statements from the United States Trade Representative, the Register of Copyrights, and the Assistant Secretary of Commerce and Commissioner of Patents and Trademarks that an overly broad exemption in section 110(5) of the Copyright Act would ''violate our obligations under the Berne Convention for the Protection of Literary and Artistic Works.'' I believe that Title II will result in a WTO finding that we have violated our multilateral treaty obligations.

For these reasons, I oppose Title II of the bill but because I support Title I, I will not ask for a recorded vote.

MISSISSIPPI SIOUX TRIBES JUDGMENT FUND DISTRIBUTION ACT OF 1998

SPEECH OF

HON. RICK HILL

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 10, 1998

Mr. HILL. Mr. Speaker, I rise to support S. 391, the ''Mississippi Sioux Tribes Judgment Fund Distribution Act of 1998.''

S. 391, sponsored by Senator DORGAN of North Dakota and cosponsored by his colleague from North Dakota and his colleagues from Montana and South Dakota, was originally introduced as a companion bill to H.R. 976. My legislation was brought up in the House under suspension of the rules and passed on September 8, 1997.

After receiving the referral of H.R. 976 the Senate Committee on Indian Affairs held a hearing on the measure on October 21, 1997 and favorably reported an amendment in the nature of a substitute on November 4, 1997. In order to address concerns raised by the Administration, the Committee on Indian Affairs held a legislative hearing on S. 391 on July 8, 1998. Only July 29, 1998 the committee favorably reported S. 391 with an amendment in the nature of a substitute. The Senate passed S. 391 on October 9, 1998.

The major difference between H.R. 976 as passed by the House and S. 391 as passed by the Senate concerns the amount of the judgment fund to be distributed to the three Sisseton and Wahpeton tribes. Under H.R. 976, these tribes would receive the interest on the undistributed funds and the lineal descendants would receive the principal originally allocated to them in the 1972 act. Under S. 391, the tribes will receive about 28.3 percent of the undistributed funds and the lineal descendants will receive about 71.6 percent. This disposition of the fund was resulted from extensive consultations by the Senate Committee on Indian Affairs both with the tribes and with the Administration. The Administration, in turn, consulted with representatives of the lineal descendants.

While in my opinion the tribes should receive the funds provided in the House passed measure the allocation funds in S. 391 represents a reasonable approach to accommodating the concerns and interests of the Administration, the tribes and lineal descendants. The cap S. 391 places on the amount of funds to be distributed to unaffiliated lineal descendants is particularly important. The United States has an important government-to-government relationship with these tribes and a trust responsibility to them that supports providing to the tribes the greatest percentage possible of the judgment fund that is compensation for the taking of lands owned by the tribes. Providing the greatest percentage possible will improve the desperate economies of these tribes while diminishing the amount of the fund that will be distributed per capita to unaffiliated lineal descendants to whom the United States does not owe the same trust obligation.

Apart from changing the tribal allocation, much of the remainder of S. 391 is the same as or similar to provision contained in H.R. 976. There are, however, certain new provisions that make more acceptable the reduction in the distribution to the tribes. One is a provision that tightens the methods used by the Secretary to verify the Sisseton and Wahpeton Mississippi Sioux Tribe lineal ancestry of new applicants who seek to participate as lineal descendants. The methods used by the Secretary with respect to those already identified as lineal descendants resulted in only 65 of those 1,988 individuals tracing ancestry to a member of the Sisseton and Wahpeton Mississippi Sioux Tribe. Since the judgment fund is compensation for lands taken from this aboriginal tribe it stands to reason and the 1972 act says as much explicitly, that eligibility to participate as a distributee must be based on lineal descendance from the aboriginal tribe. The only way to assure this is to have applicants identify a lineal ancestor who was a member of the tribe. S. 391 now more emphatically requires this. The Secretary, under S. 391, must use certain specified rolls to establish that an applicant has a lineal ancestor who was a member of the aboriginal tribe. However, it is not sufficient to simply identify an ancestor on one of the rolls referred to in S. 391. In addition it is necessary to ascertain that, that ancestor was a member of the aboriginal Sisseon and Wahpeton Mississippi Sioux Tribe. If the use of a particular roll does not permit the Secretary to determine that aboriginal tribe membership, then the Secretary must use other rolls, closer in time to the existence of the aboriginal tribe, to assure that an applicant has identified a ''specific Sisseton and Wahpeton Mississippi Sioux Tribe lineal ancestor.''

Section 8 is another important provision in S. 391. Subsections (a) and (f) of this section guarantee that if the lineal descendants bring suit challenging the constitutionality of the allocation to the tribes, the tribes will have the right to intervene in that suit to challenge the constitutionality of the allocation that S. 391 makes to the lineal descendants. Most importantly, the tribes will have the right to have their constitutional claims heard and determined on the merits. This was an important provision requested by the tribes as part of the negotiations that resulted in the reduction of the tribal allocation from that allowed under H.R. 976. The tribes' constitutional claims have never been determined on the merits despite the Federal court in Montana and United States Court of Appeals for the Ninth Circuit both stating that the tribes' claims merited litigation. These courts nevertheless was compelled to dismiss the claims as barred by a statute of limitations. A subsequent constitutional challenge by the tribes was dismissed on res judicata grounds by the Federal court in the District of Columbia. Section 8 of S. 391 will now allow these claims to be determined on the merits. In the context of S. 391, which also allows the lineal descendants to challenge the distribution made to the tribes, it is basic fairness to level the playing field by allowing the tribes to challenge the distribution to lineal descendants without the impediment of the types of defenses that in the past prevented the tribes from securing a merits disposition of their constitutional claims.

Subsection (f)(1) of S. 391 would preclude the tribes, once they receive a distribution under this act, from litigating a claim to challenge the distribution to lineal descendants arising under the 1972 act. However, if such a challenge commenced prior to the receipt of a distribution, that challenge is not impeded from proceeding. Also subsection (f)(2), as mentioned, protect the right of the tribes to secure a disposition on the merits of any claim they bring in intervention under subsection (a).

This bill has bipartisan support.

I urge my colleagues to support this measure.

Daily Digest

Senate

Chamber Action

The Senate was not in session today.

Committee Meetings

The Senate was not in session today, it will next meet on Monday, October 12, 1998, at 2 p.m.

House of Representatives

Chamber Action

Bills Introduced: 2 public bills, H.R. 4805–4806, were introduced. **Page H10560**

Reports Filed: No reports were filed today.

Speaker Pro Tempore: Read a letter from the Speaker wherein he designated Representative Brady of Texas to act as Speaker pro tempore for today. **Page H10515**

Quorum Calls—Votes: There were no recorded votes or quorum calls.

Adjournment: The House met at 2 p.m. and adjourned at 8:30 p.m.

Committee meetings

There were no Committee meetings today.

Next Meeting of the SENATE

2 p.m., Monday, October 12

Senate Chamber

Program for Monday: After the transaction of any morning business (not to extend beyond 3 p.m.), Senate may consider any conference reports or legislative or executive items cleared for action.

Next Meeting of the HOUSE OF REPRESENTATIVES

12:30 p.m., Monday, October 12

House Chamber

Program for Monday: Consideration of Suspensions:

1. H.R. 3494, Child Protection and Sexual Predator Punishment Act of 1998.
2. H.R. 3888, Anti-slamming Amendments Act.
3. H.R. 4781, to amend the Federal Election Campaign Act of 1971 to require the national committees of political parties to file pre-general election reports with the Federal Election Commission without regard to whether or not the parties have made contributions or expenditures under such Act during the periods covered by such reports.
4. H.R. 4772, to amend the Federal Election Campaign Act of 1971 to prohibit disbursements of non-Federal funds by foreign nationals in campaigns for election for Federal office.
5. H.R. 1274, National Institute of Standards and Technology Authorization Act.
6. S. 610, Chemical Weapons Convention Implementation Act.
7. H.R. 3055, Miccosukee Reserved Area Act.
8. S. 1693, National Park Service Concession Management Improvement Act of 1998.
9. S. 2349, Hazardous Materials Transportation Reauthorization Act of 1998.
10. H.R. 3899, American Homeownership Act of 1998.
11. S. 2524, to codify without substantive change laws related to Patriotic and National Observances, Ceremonies, and Organizations.
12. H.R. 2281, WIPO Copyright Treaties Implementation Act.
13. H. Res. ———, Calling on the President to take all Necessary Measures under Existing Law to Respond to the Significant Increase of Steel Imports Resulting from the Financial Crises in Asia, Russia and other Regions and for other purposes.
14. H.R. 4738, Extending Certain Provisions and Providing Tax Relief for Farmers and Small Business.

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